

A LETTER

TO

THE RIGHT HONOURABLE

THE EARL OF CARNARVON,

PRINCIPAL SECRETARY OF STATE FOR THE
COLONIES.

BY

THE HON. CHARLES TUPPER.

In reply to a Pamphlet entitled

CONFEDERATION,

CONSIDERED IN RELATION TO THE INTERESTS OF THE
EMPIRE.



TO THE RIGHT HONOURABLE
THE EARL OF CARNARVON,

Principal Secretary of State for the Colonies.

MY LORD,

My position as Leader of the Government of Nova Scotia, and one of the Delegates appointed, under the authority of the Legislature, by the Lieutenant-Governor, to arrange with Delegates from Canada and New Brunswick, and with Her Majesty's Government here, a plan of Union for the British North American Provinces, renders it my duty to offer some observations upon a pamphlet entitled, "Confederation, considered in relation to the Interests of the Empire," recently sent by the Hon. Joseph Howe to the Colonial Office. Mr. Howe has rested his arguments largely upon his own unsupported statements. In the observations I have to make on these statements I shall take the liberty of quoting, among other authorities, one which that gentleman ought to respect, for it is his own. I shall produce to your Lordship, from Mr. Howe's previous public speeches and writings, the most elaborate refutation of all the reasoning by which he now endeavours to obstruct the Union of the British North American Colonies.

Permit me, my Lord, at the outset briefly to state the present position of the Confederation question.

A little over 2,000 miles from Ireland lies Nova Scotia, a province covering an area of over 18,000 square miles, indented with the finest harbours in the world, enjoying a healthy climate, possessing a fertile soil, immense deposits of excellent coal, iron ore in abundance, equal in quality to that of the best Swedish, and mines of gold and other minerals of great extent and value.

To the west of Nova Scotia lies New Brunswick, with an

area of about 28,000 square miles of superior land, with forests of the most valuable timber, and also rich in minerals.

Behind New Brunswick lies Canada, with an area of 331,000 square miles, celebrated as a wheat-growing country, and rich in all the various elements of unbounded prosperity.

Utting out into the Atlantic, Nova Scotia forms the nearest point of communication with the Old World. Its spacious harbours invite the commerce of the globe. Its geographical position and mineral deposits show that God and nature intended that it should be to America what these British Islands are to the Continent of Europe—the great emporium of commerce and the highway of nations.

The construction of 400 miles of railway from Truro, in Nova Scotia, through New Brunswick, to Rivière du Loup, in Canada, is all that is required to complete an unbroken line of railway, 1,400 miles long, extending from Halifax, on the Atlantic, to Sarnia, at the foot of Lake Huron. The construction of other 1,600 miles, from Lake Superior to the shores of the Pacific, would furnish a steam communication across the Continent, all on British territory, and intersecting throughout its entire extent a country possessing a fertile soil and an invigorating climate.

Yet Nova Scotia has progressed so little with all the advantages she possesses, that, after the lapse of more than a century since she became a permanent possession of Great Britain, her population numbers but 350,000.

New Brunswick, notwithstanding the extent of her land and her invaluable forests of timber, intersected for some four hundred miles by the beautiful river St. John, which empties into the fine harbour of St. John, has but 280,000 inhabitants. Its trade is restricted by the custom-houses of Nova Scotia, on the one side, and of Canada on the other.

Canada, great as has been the developement of her boundless resources, is for several months of the year shut out from access to the ocean, and her 3,000,000 of people depend upon a foreign power for their postal communication with the parent state. Is it strange, my Lord, that, under these circumstances, the policy of uniting these Colonies under one government, thus striking down the hostile tariffs and diverse currencies, and other impedi-

ments which obstruct their trade, and giving them rapid and easy means of communication with each other and with Great Britain, should long since have attracted the attention of public men interested in the welfare of them all, and of the empire of which they form a not unimportant part?

So long ago as 1814, Chief Justice Sewell of Quebec, animated by these views, addressed a letter to His Royal Highness the Duke of Kent, in which he proposed a Federal Union of British North America. The father of our sovereign in his reply, dated Kensington Palace, November 30th, 1814, says:—

“My dear Sewell,—I have this day had the pleasure of receiving your interesting note of yesterday. Nothing can be better arranged than the whole thing is.”

In 1839 Earl Durham, after the most thorough personal examination of the British North American Colonies, submitted a masterly report to Her Majesty the Queen, in which he advocated, in the most conclusive manner, the advantage and necessity of a Union of those Colonies under one government. A careful study of the monument thus left of the perspicuous statesmanship of that distinguished nobleman, will show that while he, in the first instance, advocated a Federal Union, and subsequently inclined to one of a Legislative character, he has outlined a scheme of government almost analogous with that arranged by the Conference recently held at Quebec. Lord Durham said:—

“The views on which I found my support of a comprehensive Union have long been entertained by many persons in those Colonies, whose opinion is entitled to the highest consideration. * * *

“I know of but one difficulty in the way of such an Union, and that arises from the disinclination which some of the Lower Provinces might feel to the transference of powers from their present Legislature to that of the Union.

“As the mere amalgamation of the Houses of Assembly of the two Provinces would not be advisable, or give at all a due share of representation to each, a Parliamentary Commission should be appointed, for the purpose of forming the Electoral Divisions and determining the number of members to be returned, on the principle of giving representation, as near as may be, in proportion to population. I am averse to every plan that has been proposed for giving an equal number of members to the two Provinces, in order to attain the temporary end of

" outnumbering the French, because I think the same object will be
 " obtained without any violation of the principles of representation, and
 " without any such appearance of injustice in the scheme as would set
 " public opinion, both in England and America, strongly against it; and
 " because, when emigration shall have increased the English population
 " in the Upper Province, the adoption of such a principle would operate
 " to defeat the very purpose it is intended to serve. It appears to me
 " that any such electoral arrangement, founded on the present Provincial
 " Divisions, would tend to defeat the purposes of union, and perpetuate
 " the idea of disunion.

" The same Commission should form a plan of Local Government by
 " elective bodies subordinate to the General Legislature, and exercising a
 " complete control over such local affairs as do not come within the
 " province of General Legislation. The plan so framed should be made
 " an Act of the Imperial Parliament, so as to prevent the General Legis-
 " lature from encroaching on the powers of the local bodies.

" A General Executive, on an improved principle, should be estab-
 " lished, together with a Supreme Court of Appeal, for all the North
 " American Colonies. The other establishments and laws of the two
 " Colonies should be left unaltered until the Legislature of the Union
 " should think fit to change them.

" The objection to this would arise principally, I imagine, from their
 " not liking to give up the immediate control which they now have over
 " the funds by which their local expenditure is defrayed. I have given
 " such a view of the evils of this system, that I cannot be expected to
 " admit that an interference with it would be an objection to my plan.
 " I think, however, that the Provinces would have a right to complain if
 " these powers of local management, and of distributing funds for local
 " purposes, were taken from the Provincial Assemblies only to be placed
 " in the yet more objectionable hands of a General Legislature. Every
 " precaution should, in my opinion, be taken to prevent such a power, by
 " any possibility, falling into the hands of the Legislature of the Union.
 " In order to prevent that, I would prefer that the Provincial Assemblies
 " should be retained with merely municipal powers. But it would be far
 " better, in point both of efficiency and economy, that this power should
 " be entrusted to the municipal bodies of much smaller districts; and the
 " formation of such bodies would, in my opinion, be an essential part of
 " any durable and complete Union. * * * * *

" In existing circumstances, the conclusion to which the foregoing
 " considerations lead me is, that no time should be lost in proposing to
 " Parliament a Bill for repealing the 31st Geo. III., restoring the Union
 " of the Canadas under one Legislature, and constituting them as one
 " Province.

" The Bill should contain provisions by which any or all of the other
 " North American Colonies may, on the application of the Legislature, be
 " with the consent of the two Canadas, or their united Legislature,

"admitted into the Union on such terms as may be agreed on between them."

In 1849 the British American League, a body of able and intelligent men, met at Toronto, and discussed the question of Colonial Union at great length. The plan they agreed to submit for the consideration of the Provinces is set out in detail, as follows:—

"The Canadas, New Brunswick, Nova Scotia, P. E. Island, and Newfoundland, to be joined in a Federal Union, under the name of British North America, with a Secretary and Office in Downing Street, and a Vice-Regent and Federal Legislature.

"Each Province to have its local Legislature, the Legislative Council to be elected.

"The Federal Government to be vested in a Viceroy or Governor-General, a Legislative Council appointed by the Crown, or elected by the Legislature of the Provinces for six years, one-third retiring every second year; and an Assembly chosen by the Provincial Legislature from their own members by a special election, a deputation of members from the Legislative Council and from the House of Assembly to have seats in the House of Commons.

"The powers of the general Government to be the imposition of taxes, duties, and imports, which should be uniform throughout the Provinces; to assume and pay the debts of the several Provinces, and provide for the peace and welfare of the Union; to establish uniform commercial relations between the different Provinces and foreign countries, not repugnant to the laws of the United Kingdom; determine disputes, regulate navigation of the rivers and lakes, promote internal improvements, regulate post offices, militia, &c. A Supreme Court being also a Court of Appeal, &c., &c. A subsequent resolution passed against the election of the Legislative Council."

In the Legislature of Nova Scotia, the Hon. J. W. Johnston, the present Judge in Equity, February 22nd, 1854, moved the following resolution:—

"Resolved, That the Union or Confederation of the British Provinces on just principles, while calculated to perpetuate their connection with the Parent State, will promote their advancement and prosperity, increase their strength and influence, and elevate their position."

Mr. Johnston said on that occasion:—

"I do this, sir, that at the outset it may be seen to be my desire that

" the Imperial and Colonial Governments should be drawn to consider this great question, and to mould it, after full deliberation, into some form fit to be presented for the consideration of the several Legislatures, and that I presume not at this stage of the enquiry to offer any specific scheme of my own."

Speaking of the proposals of the British North American League at Toronto, in 1849, Mr. Johnston said :—

" Here is presented a scheme of Confederation evidently prepared with care, and worthy of consideration, which, it is to be regretted, had not been pressed upon the *notice of the different Provinces*. * * *

" It only remains that a few words should be said on the nature of the Union. This may be either by—1st, Confederation; or, 2ndly, by Legislative Union, including all the Provinces; or, 3rdly, by Legislative Union, including the Lower Provinces, with Confederation with Canada.

" In all the instances which I have quoted, we do not meet with the scheme of Legislative Union until Lord Durham's Report in 1838, and therefore example favours Confederation.

" I stated at the outset that I did not think that this was the time to spend much consideration on details; but though the mode of Union is hardly the question for present deliberation, I will not here withhold my strong conviction, that a Legislative Union would best promote the common interest, and the objects to be attained.

" But with this there must be connected a mature and perfect system of Municipal Corporations,—giving to the people in every county not only the control and management of their own immediate affairs, but much of that which is now the subject of legislative and executive functions."

Mr. Howe delivered on that occasion a speech, proposing an organization of the empire by means of Colonial representation in the Imperial Parliament; but the readers of that speech will find that he strongly favoured a Union of a Federal character, if such representation in the House of Commons could not be obtained. Mr. Howe said :—

" By a Federal Union of the Colonies we should have something like the neighbouring Republic, and if I saw nothing better I should say at once let us keep our Local Legislatures, and have a President and Central Congress for all the higher and external relations of the United Provinces. Under a Federal Union we should form a large and prosperous nation, lying between the other two branches of the British family, and our duty would evidently be to keep them both at peace."

The Hon. W. Young, now Chief Justice, in a very able address upon Mr. Johnston's resolution, said :—

" A Legislative Union contemplates the entire abolition of our Local Legislatures, and the transference of their power to a united Parliament sitting many hundred miles from this Province, and for this reason, although I do not feel myself called upon to give a decided opinion, I do not hesitate to avow that my present impressions, in opposition to those of the mover, bear strongly towards a Federal and not a Legislative Union."

Mr. Young concluded his very eloquent speech as follows :—

" It will be apparent, Mr. Chairman, from these views, that while I am favourable to an Union of these Colonies, and keenly alive to the benefits that may be expected to flow from it, I am also of opinion that we are not prepared to pass any resolution that should bind us at the present moment. Till we can at all events decide whether the Union we desire shall be federal or legislative, it is wiser for us to say nothing. That cardinal point being once agreed on by the Colonies, the details must be settled by a Convention of the ablest and most experienced men. Their report would come back to the respective Legislatures for revision or confirmation; and in place of a precipitate movement, a Union might be consummated by general consent, after a deliberate and calm review, and give to British America, under the old flag and surrounded and endeared by the old associations, a Government formed on the most approved model, which Republicans might envy and a free people would venerate and defend."

I have here shown your Lordship that three of the most able and prominent men that have been called to discharge public functions in that Province, so long ago as 1854, made this question, the Union of the Colonies, familiar to the public mind of Nova Scotia, as well as to the rest of British North America, and that a remarkable agreement is to be found by a close examination of the views of all, in favour of such a scheme as is now proposed. And this important fact will also be noticed, that all were in favour of the scheme being submitted to the Legislatures to be passed upon and finally disposed of.

During 1855 and 1856, P. S. Hamilton, Esq., the present Commissioner of Mines, published two forcible and well-written pamphlets upon the Union of the Colonies, and again in 1860 addressed a letter to His Grace the Duke of Newcastle upon the

same subject. In that letter, to which I shall have occasion again to refer, it will be seen that a scheme of Government not unlike that recently arranged, was proposed.

Shortly after the change of Government in 1857, the administration of which I had the honour to be a member, charged two Delegates to the British Government, the Hon. Messrs. Johnston and Archibald, to confer with the Secretary of State for the Colonies upon the subject of Colonial Union.

The following year, the Hon. Mr. Galt moved in the Canadian Legislature in favour of a Colonial Federation, and Hon. Messrs. Cartier, Ross, and Galt were deputed by the Governor-General to bring the subject again before the Imperial authorities.

On these occasions the Home Government refused to act, because Delegates had not been duly authorized by all the Provinces interested.

During the autumn of 1860, when a member of the Opposition, I was invited to deliver the opening lecture of the Mechanics' Institute at St. John, N.B. In that address, upon "The Political Condition of British North America," which was subsequently repeated at Halifax, and in other parts of Nova Scotia, I advocated, to the best of my ability, a modified form of Federal Union of British North America, as the great desideratum of these Colonies, as will be seen from the following extract from my lecture, which was reported fully at the time in the St. John papers:—

"The more important consideration, undoubtedly, is the Union of the Provinces at the earliest practicable moment. It would be premature to decide definitely on any particular plan by which that might be accomplished, until the subject is discussed, as discussed it must be, and that at no distant date, by the leading men of all these Provinces, and of all parties, in conclave; but the suggestion thrown out by Mr. Hamilton recently, in his letter to the Duke of Newcastle, is evidently worthy of attention, although it is not unlikely that it would be found susceptible of some modification and improvement. With your permission, I will quote his observations on this point. He says:—'The writer will only venture to observe as an individual opinion, that a Federative Constitution similar to that lately accorded by Imperial Act to New Zealand, dividing the whole United Colonies into a number of Provinces, each with an elective Superintendent and Council to administer and legislate upon certain defined and exclusively local affairs; the whole being subordinate to a Viceroy, appointed by the

“ ‘ Crown or hereditary in a branch of the Royal Family, and a metro-
 “ ‘ politan Parliament of two houses, to deal with all matters of general
 “ ‘ interest, and to possess the power of exercising a general supervision
 “ ‘ over the local legislation of the Province, so as to harmonize their
 “ ‘ action, would seem to combine the greatest degree of security to local
 “ ‘ interests, with the greatest unanimity upon all matters of importance
 “ ‘ affecting the whole United Colonies.’ ”

“ The desirability of the Union in any form being once arrived at,
 “ there is little reason to doubt that it could be arranged in a manner
 “ satisfactory to all sections of the Confederation, and giving to the whole
 “ advantages of the highest character not now enjoyed, while it would
 “ not materially detract from any privileges of a local character at present
 “ in their possession.”

Near the close of the Session of 1861, the Hon. Mr. Howe, then Leader of the Government of Nova Scotia, moved the following resolution, which passed unanimously :—

“ *Whereas* the subject of a Union of the North American Provinces, or of the Maritime Provinces, from time to time has been mooted and discussed in all the Colonies :

“ *And whereas*, while many advantages may be secured by such a Union, either of all these Provinces, or a portion of them, many and serious obstacles are presented, which can only be overcome by mutual consultation of the leading men of the Colonies, and by free communication with the Imperial Government :

“ *Therefore resolved*, That His Excellency the Lieutenant-Governor be respectfully requested to put himself in communication with His Grace the Colonial Secretary and His Excellency the Governor-General, and the Lieutenant-Governors of the North American Colonies, in order to ascertain the policy of Her Majesty's Government, and the opinions of the other Colonies, with a view to the enlightened consideration of a question involving the highest interests, and upon which the public mind in all the Provinces ought to be at rest.”

In transmitting this resolution to the Colonial Office in 1862, Lord Mulgrave said :—

“ As an abstract question, the Union of the North American Colonies has long received the support of many persons of weight and ability, but as far as I am aware, no practical mode of carrying out this Union has ever been proposed.

“ The question has assumed various shapes and proportions, some advocating a Federal Union of the whole of British North America ; some a Legislative Union of the Lower Provinces. With all this

"diversity of opinion as to the character which the Union should assume, the feeling in favour of a Union of some sort is decidedly on the increase in this Province.

"Under these circumstances my Government are of opinion that a meeting of the leading men of the different Provinces should take place, in the hope that, after full deliberation and discussion, some practical scheme may be devised to which public attention may be directed in the future consideration of the subject."

In his reply to this despatch, His Grace the Duke of Newcastle observed :—

"No one can be insensible to the importance of the two measures which are alluded to ; and I am far from considering that they do not form a very proper subject for calm deliberation. They are, however, of a nature which renders it essentially fit, that if either of them be proposed for adoption, it should emanate in the first instance from the Provinces, and should be concurred in by all of them which it would affect. I should see no objection to any consultation on the subject amongst the leading members of the Governments concerned ; but whatever the result of such consultation might be, the most satisfactory mode of testing the opinion of the people of British North America, would probably be by *means of resolution or address proposed in the Legislature of each Province by its own Government.*"

Under the authority of that despatch, Mr. Howe addressed the following letter to each of the other provinces :—

"Provincial Secretary's Office,

"14th August, 1862.

"Sir,—The subject of a Union of the British Provinces of North America having been, since the publication of Lord Durham's report, discussed in all of them from time to time, it was thought desirable by the Legislature of Nova Scotia, in the session of 1861, that the question should be set at rest by such a formal discussion and decision as would promote such a Union, if there was any general desire to effect it, and save much time if there was not.

"The resolution a copy of which I have now the honour to enclose, was submitted and passed unanimously during that session.

"As a general election occurred in New Brunswick in 1861, and as the Island of Prince Edward was much occupied with a controversy that engrossed public attention in that year, the Government of Nova Scotia thought it prudent to wait for a more convenient season before inviting the attention of Her Majesty's Ministers or of the Colonial Governments to a question of such magnitude and importance.

" The resolution was transmitted to the Colonial Secretary in May last, and His Grace's answer, which reached His Excellency the Earl of Mulgrave by last mail, I have now, by command, the honour to enclose.

" You will perceive that the Colonial Governments are left free to invite the leading men of all the Provinces concerned to a discussion of the question of Union, either of all the Provinces, or of the Maritime Provinces only; and Her Majesty's Government, it would appear, are disposed to give due weight and consideration to any resolutions in which the *Colonial Legislatures* may concur.

" It must be obvious that there can be no great progress made towards an adjustment of this question unless the resolutions to be submitted to the Colonial Legislatures are in substance the same, and in order that uniformity in spirit, and, if possible, in language, may be secured, I am charged to invite, from the Government of Canada, a prompt consideration of the subject, and to respectfully request that you will advise me whether its members are prepared to discuss the question of Union, and whether, if Delegates are appointed by the other provinces, it will be convenient to have a meeting in some central place about the middle of September.

" I have the honour, &c.,

" (Signed) JOSEPH HOWE.

" The Hon. A. A. DORION, Provincial Secretary of Canada,

" Quebec; also to

" The Hon. S. L. TILLEY, Provincial Secretary, Fredericton,

" New Brunswick; and to

" Wm. H. POPE, Esq., Colonial Secretary for P. E. Island,

" Charlottetown."

In 1864 the Government of Nova Scotia, despairing of seeing the Union of all the British North American Provinces at once effected, and regarding the Legislative Union of the three Maritime Provinces as a step toward the accomplishment of the greater and more important Union, submitted the following resolution to the Legislature of that Province :—

" *Resolved*, That an humble address be presented to His Excellency the Administrator of the Government, requesting him to appoint Delegates (not to exceed five), to confer with Delegates who may be appointed by the Governments of New Brunswick and Prince Edward Island, for the purpose of considering the subject of the Union of the three Provinces under one Government and Legislature; such Union to take effect when confirmed by the Legislative enactments of the various Provinces interested, and approved by Her Majesty the Queen."

In moving this resolution, I stated my anxious desire for a Union of all the British North American Colonies in the most explicit terms, and explained at length my reasons for despairing of seeing it then accomplished, as will be seen by reference to the following extracts from the speech with which the debate was opened :—

“ But difficulties have been found—and I may say insuperable difficulties—in grappling with that which so many of the ablest minds in this country have advocated in connection with this subject. * * *

“ I think, therefore, we may put aside, for the present at all events, the greater question which has engaged the attention of public men in this and the other Provinces in British America in connection with this subject. Whilst I believe that a Union of the Maritime Provinces and Canada—of all British North America—under one Government, would be desirable, if it were practicable—I believe that to be a question which far transcends in its difficulties the power of any human advocacy to accomplish, I am not insensible to the feeling that the time may not be far distant when events which are far more powerful than any human advocacy, may place British America in a position to render a Union into one compact whole not only practicable, but *absolutely necessary*. * * * *

“ Hostile as I believe the sentiments of Canada are at the present time to a Union with the Maritime Provinces, the day is not far distant when it will be for the interest of both to unite, and Canada will, I have no doubt, seek in that Union the solution of those difficulties that are now found insuperable in the government of the country. These Provinces, I am proud to know, would present sufficient area, population, and resources to exercise no small amount of influence in the scale between the two sections in which Canada is divided. * * *

“ Looking, then, at the position which this question occupies, I think it is not unlikely that the time may not be remote when circumstances may accomplish that which, as I said before, apart from the influence of powerful events, no human advocacy at the present time may be able to grapple with.”

I have taken the liberty of giving these extracts to show that my views have undergone no change,—that I stated whilst I believed a union with the Canadas to be desirable, yet I saw difficulties which I thought interfered with taking up that question. Subsequently to the passage of that resolution—subsequently to the evidence given by the Legislature of Nova Scotia, that they were disposed to seek in a Union of the Maritime Provinces a wider field for the commerce and enterprise of

the country than it at present enjoys—the public men of Canada came to the patriotic resolution to sink their political differences in an attempt to obtain a sounder and better Constitution for their country, and an unforeseen and unexpected combination took place between the two parties into which Canada was divided, based upon a proposal to confederate all British North America under one common Government, and, in failure of that, to form a Confederation between Upper and Lower Canada. I have no doubt that the action of the Legislatures of Nova Scotia, New Brunswick, and Prince Edward Island—the desire evinced to break down the barriers that separated one from the other—induced the public men of Canada to turn their attention to the practicability of accomplishing the Confederation of all the Colonies.

The Conference at Charlottetown took place; but, previously, the Lieutenant-Governors of the three Provinces received a dispatch from the Governor-General, asking whether that Conference would receive a deputation of the Canadian Government, who were desirous of expressing their opinions on the subject of Colonial Union.

The several Governments answered the question that was put to them in the affirmative, and the Canadian deputation came down; not to take an official position in the Conference; but to express their views on the subject of Colonial Union. As the discussions proceeded, it became evident that a Union of all the Provinces might be achieved, and it was decided to adjourn the Conference until that question could be dealt with officially.

In October 1864, at the instance of the Governor-General of Canada, the Governments of Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island, sent Delegates to Quebec to confer on the question of Colonial Union. The resolutions arrived at by this Conference, composed of representatives of every section, race, religion, and party, in British North America, are contained in the Appendix. The spirit in which these resolutions were framed, and the objects of the Conference, are well described in the following extracts from a despatch of the Right Honourable the Secretary of State for the Colonies, Mr. Cardwell, addressed to Lord Monck, under date of December 3rd, 1864:—

" With the sanction of the Crown, and upon the invitation of the Governor-General, men of every Province, chosen by the respective Lieutenant-Governors without distinction of party, assembled to consider questions of the utmost interest to every subject of the Queen, of whatever race or faith, resident in those Provinces, and have arrived at a conclusion destined to exercise a most important influence upon the future welfare of the whole community.

" Animated by the warmest sentiments of loyalty and devotion to their Sovereign,—earnestly desirous to secure for their posterity throughout all future time the advantages which they enjoy as subjects of the British Crown,—steadfastly attached to the institutions under which they live, they have conducted their deliberations with patient sagacity, and have arrived at unanimous conclusions on questions involving many difficulties, and calculated, under less favourable auspices, to have given rise to many differences of opinion. * * * * *

" Her Majesty's Government anticipate no serious difficulty in this part of the case, since the resolutions will generally be found sufficiently explicit to guide those who will be entrusted with the preparation of the Bill. It appears to them, therefore, that you should now take *immediate measures*, in concert with the Lieutenant-Governors of the several Provinces, for submitting to the *respective Legislatures* this project of the Conference; and if, as I hope, you are able to report that these Legislatures sanction and adopt the scheme, Her Majesty's Government will render you all the assistance in their power for carrying it into effect."

On the meeting of the Canadian Parliament, an address to the Crown was carried by overwhelming majorities in both branches, praying Her Majesty for the passage of an Act by the Imperial Parliament to give effect to those resolutions, and unite the Provinces under one Government.

In New Brunswick an appeal to the people having taken place before the subject had been discussed in the Legislature, the Government were defeated, and a large majority were returned opposed to Confederation.

Under these circumstances, lying as New Brunswick does between Nova Scotia and Canada, rendering union with Canada impossible without the concurrence of New Brunswick, the consideration of the question was postponed in the Legislature of Nova Scotia, on the ground that immediate Union was then made impracticable.

After more than a year's subsequent discussion of the question in the Legislature, at public meetings, and in the press, it became evident that the public sentiment in New Brunswick

had entirely changed. The Government formed to oppose Confederation committed themselves to the policy of Union in the speech with which the Legislature was opened in February 1866, and the Legislative Council of that Province passed a resolution approving of Confederation.

It being now evident that all obstruction in New Brunswick would be speedily removed, I moved the following resolution on the 10th day of April last, in the House of Assembly of Nova Scotia:—

"Whereas, in the opinion of this House it is desirable that a Confederation of the British North American Provinces should take place:

"Resolved therefore, That His Excellency the Lieutenant-Governor be authorized to appoint Delegates to arrange with the Imperial Government a scheme of Union which will effectually ensure just provision for the rights and interests of this Province: each of the Provinces co-operating to have an equal voice in such Delegation; Upper and Lower Canada being for this purpose viewed as separate Provinces."

On the 18th day of April, after full discussion, this resolution was carried by a majority of thirty-one to nineteen; an amendment, to defer action until the question had been referred to the people at the polls, having been first negatived by a majority of thirty-one to eighteen. In the Legislative Council a similar resolution was carried by a majority of thirteen to five. In New Brunswick, the House of Assembly having been again dissolved specially on this issue, thirty-three members were elected pledged to support Confederation, while but eight members opposed to it could obtain seats throughout that Province, and the Union party having been returned to power, a resolution, nearly identical with that passed in Nova Scotia, was triumphantly carried. Under the authority thus given by the Legislatures of Nova Scotia and New Brunswick, the Lieutenant-Governors of those Provinces, as your Lordship is well aware, have appointed the Delegates who now await here the arrival of Delegates from Canada, in order to carry out the views of those three Colonies. The co-operation of Newfoundland and Prince Edward Island, although desirable, is, from their separate and insular position, by no means indispensable to the effective Confederation of Canada, New Brunswick, and Nova Scotia.

Incredible as it seems, my Lord, Mr. Howe has described the constitutional action of both branches of the Legislatures in those three Provinces by immense majorities, sanctioned by the representatives of the Crown and by Her Majesty's Government in the following terms:—

“ When Prussia overrun Schleswig-Holstein all Europe cried shame, and the moral sense of England was deeply wounded. When the Emperor of the French took Nice, in return for the service rendered to Italy, the Press of England indignantly protested against that appropriation of territory. However anxious the Emperor may be at the present moment to extend his dominion and rectify his frontiers, he wisely spares Belgium, and does not advance his boundaries to the Rhine. If he did, a bloody war would convulse the Continent, and we all breathe more freely when he yields to the dictates of prudence and moderation.

“ The public sentiment of England ought as religiously to respect the boundaries and rights of large communities on the other side of the Atlantic as on this ; and yet, strange to say, a measure of spoliation and appropriation, on a more gigantic scale than any that has startled Europe, and which for two years has convulsed society in British America, seems to have advocates and defenders here.”

How weak and untenable Mr. Howe must have felt his own position, in attempting to oppose the Union of British North America, must be apparent from this introduction. It was scarcely complimentary to the intelligence of those he might hope to influence, to presume to tell them that there was any analogy between the voluntary action of the constitutional representatives of three British Colonies, asking the Imperial Legislature to unite them under one Government, and with one Legislature, and the forcible seizure by a foreign power of States which owed it no allegiance, and by which the balance of power in Europe was to be affected.

Mr. Howe has ventured to affirm throughout his *brochure*, that this policy of a Union between Canada and the Maritime Provinces is an ambitious and unscrupulous attempt at “spoliation” and “appropriation” on the part of Canada. What must be thought of his temerity in making such a statement, when viewed in the light of the fact, that when Mr. Howe was Leader of the Government of Nova Scotia, in 1861, he moved the resolution above quoted, declaring “that many advantages

may arise" from such a Union, and wrote an official letter to the Government of Canada, based upon that resolution, which had been unanimously carried in the Assembly of Nova Scotia, asking Canada to entertain his overtures for Union, and proceeded to Quebec, in 1862, a Delegate to press his suit?

Now, when the policy of Union, for which for many years he professed such devotion, is likely, in other hands, to be more successful, he denounces it as an attempted "spoliation." If this Union of the Provinces be a "spoliation" on the part of Canada, no man has more to answer for in connection with it than Mr. Howe. For twenty years he has been advocating the construction of an Intercolonial Railway and the Union of the Provinces, as the best means of advancing their interests, promoting their prosperity, and the only means of securing, in any part of British America, the permanence of British institutions. He has now, after a long visit to Washington, discovered that Union instead of strength will be weakness; that Union will cause ruin instead of prosperity; and that the construction of the Intercolonial Railway, which, in 1862, he officially assured the Colonial Minister would render British North America impregnable, would be unworthy of the countenance or support of the Imperial Government.

Mr. Howe endeavours to show that Canada is indefensible. He says:—

"But Canada is not compact. She has yet only three millions of inhabitants, or about eight to every square mile of territory. She has an exposed frontier of one thousand miles, with no natural defences for eight hundred miles above Quebec. Along the whole of this frontier line she is menaced or overlapped by the great Republic, with thirty-four millions of inhabitants and a million of trained soldiers who have been under fire. Those troops, accustomed to obey officers of great ability, familiar with the art of war, could, by means of twenty railroads pointing to the Canadian frontier, be massed in a week, and thrown into the Province. Whether, when they got there, the Canadians could drive them out, with their comparatively small force of volunteers and militia, even when assisted by the troops this country could spare, is a military question which I will not undertake to decide. Distinguished Members of Parliament declare they could not; and that if Canada, thus overrun, is ever recovered to the British Crown, it must be after campaigns in other directions, and a successful naval war, in which it is evident that that Province, being frozen up for five months of the year, and having no ships or sailors to spare, can render no assistance. * *

" They are shut in by frost from the outer world for five months of the year. They are at the mercy of a powerful neighbour whose population already outnumbers them by more than eight to one, and who a quarter of a century hence will probably present sixty-eight millions to six millions on the opposite side of a naturally defenceless frontier. Surely such conditions as these ought to repress inordinate ambition or lust of territory on the part of the public men of Canada. The wisdom of Solomon, and the energy and strategy of Frederick the Great, would seem to be required to preserve and strengthen such a people, if formed, as it appears they desire to form themselves, into 'a new Nationality.' While they discharge their duties as unobtrusive good neighbours to the surrounding populations, and of loyal subjects of the Empire, Great Britain will protect them by her energy in other fields should the Province become untenable; but it is evident that a more unpromising nucleus of a new nation can hardly be found on the face of the earth, and that any organized communities, having a reasonable chance to do any thing better, would be politically insane to give up their distinct formations and subject themselves to the domination of Canada."

On the important question, whether Canada can be defended, the opinion of Lieut.-Col. Jervoise, who was sent by Her Majesty's Government to investigate this matter, ought to count for something even in opposition to Mr. Howe's. That officer says in his Report that—

" Although, owing to the length and nature of the frontier of Canada, it was impossible to protect it throughout its whole extent, an enemy must nevertheless acquire possession of certain vital points before he could obtain any decided military advantage;—that there are only a few such points,—and that if proper arrangements were made for the defence of those places by the construction of fortifications, the provision of gunboats, and the improvement of communications, the militia and volunteer forces of the country, if properly organized, and aided by British troops, would be enabled to hold them during the period (only about six months in the year), when military operations on a *large* scale could be carried on against them, and thus those forces could resist an attack with the best possible chance of success."

That the United States have developed a large amount of military and naval power no one will deny, but Mr. Howe seems to have forgotten that, in another part of his pamphlet, he summarily disposes of his own argument in the following manner. He says of the United States, p. 8 :—

" Railroads, canals, steamers, and telegraphs then came in and assisted to bind the country together; but in eighty years, with all these

"aids and appliances, the game was played out; and the same causes, which in every quarter of the old world, and in almost every age, have asserted themselves, came distinctly into view, marking the subjection even of the Great Republic to the laws which the Creator, for some wise purpose, has established for the government of the universe. It is true that, by the expenditure of a million of lives and of nearly four thousand millions of dollars, the country is still nominally kept together; but when hearts are estranged and interests are adverse, when communities, baptized in blood and tears, find in a great calamity ever recurring elements of discord and reproach, the time is rapidly drawing on when separation is inevitable, and when new combinations will grow out of the play of the passionate ambitions which the wit of man has hitherto been found powerless to control. Anybody who spends an hour on Pennsylvania Avenue will see as many varieties of human beings as in Constantinople. A Kentuckian is no more like a Bostonian than a Virginian is like a man from Maine; and every year the distinctions are becoming more marked; and interests are growing up which, while possessed of political power, one section or another is ever tempted to override. Providence may calm the tempest of angry passions which the late Civil War threw up, and the Republic may stagger on for some years; but the signs of the times do not encourage us to break down a system of government which is working well, that we may try another experiment on a grand scale, without being driven by the necessity that coerced, or encouraged by the accessories that aided, the founders of the great Republic."

If, my Lord, this be a true picture of the United States,—and it is drawn by one who has spent much time there in carefully studying their condition,—we need not be paralyzed by any unmanly fear for the safety of British America. If, as Mr. Howe declares, the American Government, with all their energies unfettered, were four years in subduing a few millions of Southerners shut out from communication with any country, and that victory cost them "four thousand millions of dollars," and the "sacrifice of a million of lives," how long does he think it would take them, when thus oppressed by a debt so gigantic, and paralyzed by internal convulsions, and with the South still in their rear, desiring separation as unitedly as ever, to conquer four millions of free men in the North, not less hardy and brave, nor less devoted to their institutions than were the people of the Southern States, and sustained by the power of the mightiest empire in the world?

Having drawn your Lordship's attention to the significant

fact that, in order to show the indefensibility of Canada, Mr. Howe has been obliged, on one page of his pamphlet, to portray the United States as a gigantic and consolidated power, which will, a quarter of a century hence, number sixty-eight millions; yet, on another page of the same pamphlet, he has described the Republic as prostrated by debt, shattered by internal "discord," and declared that the "time is rapidly drawing on when separation is inevitable;" and that nothing but a direct interposition of "Providence" will enable it to "stagger on for some years," I will now place before you the deliberate opinions entertained by the same gentleman before he undertook the difficult task of opposing the Union of British North America.

So lately as December 1861, Mr. Howe addressed a state paper to His Grace the Duke of Newcastle, from which I make the following extracts:--

"The Northern States have now at least a quarter of a million of embodied troops upon the Potomac, considerable numbers under arms in various States, and 50,000 three months men, who have returned to their homes, with some degree of discipline and some knowledge of camp life. The whole of the Northern States is one vast recruiting ground. Should the present civil war continue, it is contended by some that there will be full employment for these forces at the South; but vulnerable as Canada now is, she invites attack from that surplus force which now exists. But when this contest ends, and end it must (even should no conflict with us mark the interval) either by exhaustion, by conquest, or by the interference of foreign powers, there will remain in the Northern States two or three hundred thousand trained soldiers, with a fair proportion of ambitious military chieftains, emulous of distinction; or, it may be, not indisposed to wipe out, in foreign fields, the remembrance of discomfitures experienced in civil strife. Besides disciplined masses of soldiers, the United States will have accumulated vast stores of warlike material. Enormous quantities of small arms and of cannon have been purchased or manufactured, and the establishments, founded by a lavish expenditure, can readily supply as many more. The United States thus have been suddenly transformed from peaceful communities, pursuing lawful commerce, to a Military Republic.

"The British Provinces survey these phenomena without fear, but not without emotion; and they ask, as the first measure of indispensable precaution and obvious defence, that the Intercolonial Railroad shall be completed without delay.

"Without that road the Provinces are dislocated, and almost incapable of defence, for a great portion of the year, except at such a

" sacrifice of life and property, and at such an enormous cost to the
 " mother country, as makes the small contribution which she is asked to
 " give towards its construction sink into insignificance. With that rail-
 " road we can concentrate our forces on the menaced points of our frontier,
 " guard the citadels and works which have been erected by Great Britain
 " at vast expense, cover our cities from surprise, and hold our own till
 " reinforcements can be sent across the sea; while, without the railway,
 " if an attack were made in winter, the mother country could put no
 " army worthy of the national honour, and adequate to the exigency, upon
 " the Canadian frontier, without a positive waste of treasure, far greater
 " than the principal of the sum, the interest of which she is asked to
 " contribute, or rather to risk.

" The British Government have built expensive citadels at Halifax,
 " Quebec, and Kingston, and have stores of munitions and warlike material
 " in them. But their feeble garrisons will be inadequate for their de-
 " fence unless the Provincial forces can be concentrated in and around
 " them. An enterprising enemy would carry them by *coups-de-main* be-
 " fore they could be reinforced from England, and once taken, the ports
 " and roadsteads which they have been erected to defend, would not be
 " over safe for the naval armaments sent out too late for their relief. *

" Therefore, we desire to strengthen our frontier by the completion
 " of a work indispensable to its defence. It is not too much to say that
 " the construction of the Intercolonial Railroad might save us the cost
 " of a war; for the Americans are themselves sagacious enough to see,
 " that with that work completed, surprise is impossible, and the results of
 " a protracted war at least extremely doubtful. Without it Canada and
 " the Maritime Provinces may be cut asunder and outflanked at any
 " moment without the possibility of their population leaning upon com-
 " mon points of support, and aiding and strengthening each other. *

" The war which, in the Provinces, we have long foreseen as likely to
 " arise out of complications between the Mother Country and the United
 " States of America, is now imminent. The frontier, which would have
 " been defended by means of rapid communication, is unprotected, and
 " exposed to the concentration of troops upon the termini of at least
 " seven railroads. Winter is upon us, and a hundred thousand men can
 " be thrown by the enemy upon the frontier, with more ease than a single
 " battery can be transported to Canada, or a single barrel of flour can be
 " brought down to the seaboard Provinces: which, cut off by war from
 " the United States, and by ice from Canada, must depend upon Europe
 " for Breadstuffs, with the granaries of half a continent in their rear.

" If those events and strategic contrasts, now patent to all the world,
 " do not plead the cause of British America, and finally settle this ques-
 " tion, the undersigned feel that anything they could add would be a
 " needless intrusion upon the patience of the Cabinet.

" The undersigned do not believe, that in presence of the perils
 " which all Her Majesty's subjects are called upon to confront, an hour
 " should be lost in deciding upon a question which lies at the very basis

" of national defence. If the Provinces are to be plunged into a war, without the cheap defence which they have urged was indispensable to their protection, let them have at least the satisfaction of reflecting that it is for the last time; and if our commerce is to be imperilled, and our cities exposed to pillage and conflagration, let us not have to defend both with the depressing conviction on our minds, that Her Majesty's ministers are indifferent to our position, and care less for the security of our frontier than they do for that of their island homes."

These opinions were not hastily formed. Throughout his public life, Mr. Howe has been the earnest advocate of an Intercolonial Railway, which can only be obtained by Union, as the best means of rendering the position of all the British North American Colonies secure. He has again and again emphatically declared that in this way only could the citadel of Halifax be made safe. Now he proposes to strengthen the thousand miles of unfortified sea coast of Nova Scotia, by leaving the three hundred and fifty thousand inhabitants of that Colony without the support of three millions and a quarter of their countrymen in Canada and New Brunswick, whom he would abandon to the United States.

In a speech at Southampton in 1851, Mr. Howe thus graphically described the result of the policy he now advocates:—

" But suppose the Northern Provinces neglected, and ultimately lost; imagine the territories of the Republic extended to Hudson's Bay; and that the spirit generated by two wars, and which a word, a single act, so readily revives, pervaded the continent, strip England of every point on the Atlantic and Pacific Oceans; leave her without a ton of coal for her steamers or a spar to repair a ship—Fancy the five thousand vessels that we now own added to the enemy's fleet, and the four hundred thousand men that we could arm to-morrow added to her forces; the enemy's outposts and arsenals would then be advanced five hundred miles nearer to England, and the West India Colonies overpowered and lost, as a matter of course. Would not the balance of power in Europe be thus fearfully disturbed, because England had failed to maintain the balance of power in America?"

In the same year Mr. Howe wrote to Earl Grey:—

" Look now, my Lord, at the map of America. A very common idea prevails in this country that nearly the whole continent of North America was lost to England at the revolution, and that only a few insignificant and almost worthless Provinces remain. This is a great and, if the error extensively prevail, may be a fatal mistake. Great Britain,

"your Lordship is well aware, owns up to this moment one-half the Continent, and, taking the example of Europe to guide us, the best half. Not the best for slavery, or for growing cotton and tobacco, but the best for raising men and women, the most congenial to the constitution of the northern European, the most provocative of steady industry, and all things else being equal, the most impregnable and secure. * * * Suppose the Republic could extend her tariff over the other portion of the Continent, she could then laugh at the free-trade policy of England."

Referring to the construction of the Intercolonial Rail way, Mr. Howe wrote to his constituents in 1851 :—

"Upon the great issue now presented to the constituencies of Nova Scotia hangs not only their material interests, but the security and advancement of all the British North American Provinces."

In his speech in the Assembly, in 1854, on Mr. Johnston's resolution for a Union of the Colonies, Mr. Howe said :—

"Is the balance of power in America an unimportant consideration, and how is it to be preserved except by preserving that half of the Continent that belongs to England, and that can only be done by elevating the inhabitants of these Provinces in their own opinion and in that of the world at large? I know that it is fashionable in England to count upon the sympathies and cordial co-operation of the Republic. A year ago Cobden and other apostles of his school were preaching and relying upon universal peace. Now all Europe is arming. They preach day by day that Colonies are a burthen to the mother country. The reign of peace, of universal brotherhood, may come. Should it not, and should Republican America throw herself into the contest against England, when engaged with other powers, as she did in 1812, what, then, would be England's position should the noble Provinces of North America have been flung away for the want of a little foresight and common sense?

"The power of the Republic would be broken if our half of the Continent maintained its allegiance. But if that were thrown into the other scale, what then? Fancy the stars and stripes floating over our six thousand vessels. Fancy five hundred thousand hardy North Americans, with arms in their hands, in a defiant attitude. Fancy half a Continent, with its noble harbours, and five thousand miles of sea coast, with all its fisheries, coal mines, and timber gone. Fancy the dockyards and depôts and arsenals of the enemy advanced 1000 miles nearer to England. Oh, Sir, I have turned with disgust from the eternal gabble about the balance of power in Europe when I have thought how lightly British statesmen seem to value the power that can at once balance their only commercial rival. One subsidy to some

"petty European potentate has often cost more than all our railroads would have cost, and yet they would have developed our resources in peace and formed our best security in war. * * * *

"How often have we heard that our republican neighbours were going to overrun the Provinces. They have attempted it once or twice, but have always been beaten out, and I do not hesitate to say that the British Americans, over whom the old flag flies, are able to defend every inch of their territory, even though Her Majesty's troops were withdrawn.

"Taking our population at two millions and a half (it is now nearer four millions), every fifth person should be able to draw a trigger, giving 500,000 men capable of bearing arms. Such a force would be powerless as an invading army, but in defence of these Provinces invincible by any force that could be sent from abroad."

When, in 1863, the Hon. T. D. McGee came on an invitation to Halifax and delivered an address on the Union of British North America, Mr. Howe seconded a vote of thanks to Mr. McGee in these words, as reported at the time:—

"It would be injustice to the lecturer to say more, further than he was with him in all he said. He was for a Union of all the British North American Provinces, but he was for an Intercolonial Railroad first. Then the road would bring about the Union. It would enable the Canadians to see our faces, to become familiar with us, and to see the number of 1000-ton ships which we were building, which, with our other wealth and resources, we are willing to throw into the one great stock. He thought a Union should not be delayed till we had drifted into difficulties. How shortsighted were the English statesmen of old who lost them the thirteen states, when the difficulty could have been arranged in a month, the horrors of the revolutionary war prevented, and all our race living at peace and harmony at present without the bickering and animosity which prevail in their midst. Talk of the fall of Quebec being a source of sorrow to the inhabitants of this Province. It would be more. If the St. Lawrence were in the hands of our enemies, we should be compelled to beg permission to tear down the British flag. What he wished for Nova Scotia was, that she may be the frontage of a mighty Colony; upon which it may be truly said the sun never set. No man can look upon Halifax and its environs, its harbour, its citadel, and say it was made for this Province alone.

"The United States have drifted into a civil war; and we may drift into a tight place, from which it may be difficult to extricate ourselves. The States might assail us; but if we had a railway by which troops could be sent from Quebec or other military stations to the threatened point, we would be saved. He hoped when Mr. McGee

" returned to Canada he would be able to say, ' I have been down among
 " those people, and there I have seen keen politicians bickering upon
 " small topics, but when the great subject of national Union was
 " brought before them, then all minor difference was disregarded, and I
 " found them uniting and pushing and cheering me on in this labour of
 " love.' "

Three years ago, then, Mr. Howe declared to the people of Halifax that if the St. Lawrence and Quebec were in the hands of an enemy, " they would be compelled to beg permission to tear down the British flag ; " now, with equal vehemence, he endeavours to convince the people of Great Britain that the abandonment of Quebec and the St. Lawrence would be the best means of preserving Nova Scotia.

In 1862 Mr. Howe signed the following record of his opinions on this question at Quebec, and pledged Nova Scotia to pay the cost of three and one-half twelfths of the Intercolonial Railway on the grounds stated :—

" That with an anxious desire to bind the Provinces more closely together, to strengthen the connection with the mother country, to promote their common commercial interest, and to provide facilities essential to the public defence of those Provinces as integral parts of the Empire, the undersigned are prepared to assume, under the imperial guarantee, the liability for the expenditure necessary to construct this great work."

Great as are the commercial advantages to be derived by all the Provinces from the expansion of their trade which would follow Union, the leading object of the representatives of all the Colonies was undoubtedly a desire to unite their resources and consolidate their power, for the purpose of being better able to maintain, with the aid of this country, the British institutions, to which the whole population of British America of all parties and classes are loyally devoted. Canada, Nova Scotia, and New Brunswick, cordially concur in the sentiments contained in the following extract from Mr. Cardwell's despatch to the Governor of Nova Scotia :—

" You will at the same time express the strong and deliberate opinion of Her Majesty's Government, that it is an object much to be desired that all the British North American Colonies should agree to unite in one Government. In the territorial extent of Canada, and in the maritime and commercial enterprise of the Lower Provinces, Her

" Majesty's Government see the elements of power, which only require to
 " be combined in order to secure for these Provinces, which shall possess
 " them all, a place among the most considerable communities of the
 " world. *In the spirit of loyalty to the British Crown, of attachment to*
 " *British connexion, and of love for British Institutions, by which all these*
 " *Provinces are animated alike, Her Majesty's Government recognize the*
 " *bond by which all may be combined under one Government.* Such an
 " Union seems to Her Majesty's Government to recommend itself to the
 " Provinces on many grounds of moral and material advantages—as
 " giving a well founded prospect of improved administration and in-
 " creased prosperity.

" But there is one consideration which Her Majesty's Government
 " feel it more especially their duty to press upon the Legislature of Nova
 " Scotia. Looking to the determination which this country has ever
 " exhibited in regard to the defence of the Colonies as a matter of Im-
 " perial concern, the Colonies must recognize a right, and even acknow-
 " ledge an obligation, incumbent on the Home Government, to urge, with
 " earnestness and just authority, the measures which they consider most
 " expedient on the part of the Colonists with a view to their own defence.

" Nor can it be doubtful that the Provinces of British North America
 " are incapable, when separate and divided from each other, of making
 " those just and efficient preparations for national defence which would
 " be easily undertaken by a Province, uniting in itself all the population
 " and all the resources of the whole."

Mr. Howe next draws the following picture of the disloyalty
 of Canada, and the incompetency of her public men :—

" One would suppose that the public men of a country so placed—so
 " entirely at the mercy of the chapter of accidents, so unimproved and
 " sparsely populated—would not be over anxious to enlarge their terri-
 " tory or increase their responsibilities, even if they had displayed, in the
 " past, a fair average acquaintance with the science of government. Let
 " us see if they can claim credit for much more. From the conquest by
 " Wolfe, in 1759, to the flight of Papineau and McKenzie, in 1837-8, with
 " the exception of the two periods when the fear of invasion stilled the
 " voice of faction, the history of Canada is but the history of internal
 " strife between parties more or less acrimonious and uncompromising.
 " In the Lower Province the French and English parties divided the
 " Legislature and society, and in the Upper, to the ordinary rivalries be-
 " tween Liberals and Conservatives, common to the Mother Country and
 " to all the Colonies, interminable strife between the Orange and the
 " Irish factions has been added. So bitterly have these feuds been main-
 " tained, that Toronto has sometimes been disturbed by armed organiza-
 " tions, while at Kingston the Prince of Wales was prevented from land-
 " ing by an uncompromising assertion of Protestant ascendancy. In
 " 1837 and 1838 both Provinces were convulsed by open insurrections,

" which were only put down by the shedding of blood, the suspension of the Habeas Corpus Act and of the Local Constitutions, and by the expenditure, at the cost of the British Government, of more than a million sterling.

" In 1841 the two Provinces were united, and it was hoped that the severe lessons of the past would not be lost upon the public men of Canada ; but, eight years afterwards, their national antipathies and personal rivalries culminated again in acts of open violence."

That certain parties in Canada carried to an extreme length their struggle for constitutional privileges, which have since been frankly conceded, must be admitted ; but the charge of disloyalty has been disproved by her whole history. So long ago as 1776 the overtures of Franklin, Chase, and Carroll, sent by the revolted States to turn the Canadians from their allegiance to the British Crown, proved unsuccessful ; and those emissaries had to return home discomfited. These diplomatic efforts were followed up by hostile armies led by Arnold and Montgomery, two of the ablest American generals, whom, with but a handful of soldiers sent from England to assist them, the Canadians successfully resisted, raised the siege of Quebec, and recaptured Montreal. The struggles of 1812, 1813, and 1814, when Canada was attacked at every point, again proved the indomitable courage and loyalty of Canadians, who, unheeding the specious allurements held out to them, met and drove back the enemies of England, and Canada was once more saved to the Empire.

Canada may now safely put the following well-earned tribute to her loyalty uttered long after these events by His Grace the Duke of Wellington, alongside of Mr. Howe's detraction. His Grace said :—

" That the Canadians had, by their vigorous exertions in the war, carried England through a period of great difficulty and danger, and had, by their gallant conduct at a time when England's hands were tied in European wars, raised a monument to their power equal to that which any country in the civilized world could boast of."

It is quite true that, at the time of the Union between Upper and Lower Canada, the trade of both was paralyzed, the country stagnant, and their finances in a ruinous condition. A glance at what has since been achieved will enable your Lordship to estimate the value of Mr. Howe's sneers at the public men of Canada. The records of the Legislature of that country show

that Parliamentary Reform and the Registration of Voters have been secured; a system of Municipal Institutions of the most advanced character established; education, both in the higher departments, and as regards the common schools of the country, provided for by enactments which Mr. Howe throughout his public career did his best in vain to adopt in Nova Scotia; the Clergy Reserve question, fraught with immense difficulties, has been effectually settled; and the system of feudal tenure abolished; while the simplification and codification of their laws have given them statute books of which any country might be justly proud.

A glance at the statistics of Canada will show that her material progress has kept pace with her Legislation. The population of Canada rose from one million eight hundred and forty-two thousand two hundred and sixty-five in 1851 to two millions five hundred and six thousand seven hundred and fifty-six in 1861. Montreal has a population of one hundred and ten thousand, and Quebec of sixty-five thousand; in 1831 they each had but twenty-seven thousand. The population of Toronto has risen since 1842 from thirteen thousand to eighty thousand inhabitants.

The trade of Canada in exports and imports increased in twelve years, between 1852 and 1864, from thirty-four millions three hundred and forty-two thousand four hundred and sixty-six dollars to ninety-one millions one hundred and sixty-five thousand five hundred and twelve dollars.

The number of acres of land held in Canada by private owners in 1852 was nine millions eight hundred and twenty-five thousand five hundred and fifteen; in 1861 it had risen to thirteen millions three hundred and fifty-four thousand nine hundred and seven.

In 1852 Canada had three millions seven hundred and two thousand seven hundred and eighty-eight acres of land under cultivation; in 1861 she had thirteen millions three hundred and fifty-four thousand nine hundred and seven.

In 1852 Canada produced twelve millions eight hundred and two thousand five hundred and fifty bushels of wheat; in 1861 twenty-four millions six hundred and forty thousand four hundred and twenty-five.

She has expended twenty millions of dollars on her canals, and contributed an equal amount to promote the construction of the two thousand miles of railway with which the country is intersected in all directions; and four thousand miles of telegraph in Canada now place almost every considerable village in that great country in immediate communication with London, the commercial metropolis of the world.

These facts and figures, my Lord, will effectually meet Mr. Howe's disparagement of Canada and her people, but I will also add his own testimony as regards both.

Having visited Canada in 1841, he thus recorded his opinions of that great country:—

"The question has been put to us twenty times a day, 'What do you think of Canada?' and as it is likely to be many times repeated, we take this early opportunity of recording our convictions that it is one of the noblest countries it has ever been our good fortune to behold. Canada wants two elements of prosperity which the Lower Colonies possess,—open harbours for general commerce, and a homogeneous population,—but it has got everything else that the most fastidious political economist would require. * * * The mere extent of the country would not perhaps impress the mind so strongly if there was not so much of the vast, the magnificent, the national, in all its leading features. It is impossible to fancy that you are in a Province—a Colony. You feel at every step that Canada must become a great nation, and at every step you pray most devoutly for the descent upon the country of that wisdom and foresight and energy which shall make it the great treasury of British institutions upon this continent, and an honour to the British name. * * * Canada is a country to be proud of, to inspire high thoughts, to cherish a love for the sublime and beautiful, and to take its stand among the nations of the earth, in spite of all the circumstances which have hitherto retarded, and may still retard, its progress. * * * Chief among the resources of Canada must be regarded her boundless tracts of rich and fertile land. For many miles below Quebec the soil is excellent, and the further you proceed onward the better it becomes, until, in the Western regions of Upper Canada, it is found inferior to none on the continent of America. No man can estimate the numbers that Canada could feed, or form the least idea of what its agricultural export might be if all the land capable of improvement were under cultivation."

Mr. Howe now rebukes the "vaulting ambition" which would

attempt to ensure nationality to British North America; yet, in a speech in the Assembly of Nova Scotia, in 1854, he said:—

"Sir, the first question which we men of the North must put to ourselves is, have we a territory broad enough of which to make a nation? I think it can be shown that we have. Beneath, around, and behind us, stretching away from the Atlantic to the Pacific, are four million square miles of territory. All Europe, with its family of nations, contains but three million seven hundred and eighty thousand, or two hundred and ninety-two thousand miles less. The United States include three million three hundred and thirty thousand five hundred and seventy-two square miles, or seven hundred and sixty-nine thousand one hundred and twenty-eight less than British America. Sir, I often smile when I hear some vain-glorious Republican exclaiming—

"'No pent-up Utica contracts our powers,
 "'The whole unbounded continent is ours!'

"forgetting that the largest portion does not belong to him at all, but to us, the men of the North, whose descendants will control its destinies for ever. Sir, the whole globe contains but thirty-seven million square miles. We, North Americans, living under the British flag, have one-ninth of the whole, and this ought to give us 'ample room and verge enough' for the accommodation and support of a countless population.

* * * * *

"I am not sure, Sir, that even out of this discussion may not arise a spirit of Union and elevation of thought that may lead North America to cast aside her colonial habiliments, to put on national aspects, to assert national claims, and prepare to assume national obligations. Come what may, I do not hesitate to express the hope that from this day she will aspire to consolidation as an integral portion of the realm of England, or assert her claims to a national existence."

Mr. Howe, in a speech at Halifax, in 1851, thus eloquently dealt with the great subject upon which his mind now appears to have become so dwarfed:—

"But, Sir, daring as may appear the scope of this conception, high as the destiny may seem which it discloses for our children, and boundless as are the fields of honourable labour which it presents, another, grander in proportions, opens beyond; one which the imagination of a poet could not exaggerate, but which the statesman may grasp and realize, even in our own day. Sir, to bind these disjointed Provinces together by iron roads; to give them the homogeneous character, fixedness of purpose, and elevation of sentiment, which they so much require, is our first duty. But, after all, they occupy but a limited portion of that boundless heritage which God and nature have given to us and to

" our children. Nova Scotia and New Brunswick are but the frontage of
 " a territory which includes four millions of square miles, stretching
 " away behind and beyond them to the frozen regions on the one side
 " and the Pacific on the other. Of this great section of the globe, all the
 " Northern Provinces, including Prince Edward Island and Newfoundland,
 " occupy but four hundred and eighty-six thousand square miles. The
 " Hudson's Bay territory includes two hundred and fifty thousand miles.
 " Throwing aside the more bleak and inhospitable regions, we have a
 " magnificent country between Canada and the Pacific, out of which five
 " or six noble Provinces may be formed, larger than any we have, and
 " presenting to the hand of industry, and to the eye of speculation, every
 " variety of soil, climate, and resource. With such a territory as this to
 " overrun, organize, and improve, think you that we shall stop even at
 " the western bounds of Canada? or even at the shores of the Pacific?
 " Vancouver's Island, with its vast coal measures, lies beyond. The
 " beautiful islands of the Pacific, and the growing commerce of the ocean,
 " are beyond. Populous China and the rich East are beyond; and the
 " sails of our children's children will reflect as familiarly the sunbeams of
 " the South as they now brave the angry tempests of the North. The
 " Maritime Provinces which I now address, are but the Atlantic frontage
 " of this boundless and prolific region; the wharves upon which its
 " business will be transacted, and beside which its rich argosies are to lie.
 " Nova Scotia is one of these. Will you, then, put your hands unitedly,
 " with order, intelligence, and energy, to this great work? Refuse, and
 " you are recreants to every principle which lies at the base of your
 " country's prosperity and advancement; refuse, and the Deity's hand-
 " writing upon land and sea is to you unintelligible language; refuse, and
 " Nova Scotia, instead of occupying the foreground as she now does,
 " should have been thrown back, at least behind the Rocky Mountains.
 " God has planted your country in the front of this boundless region; see
 " that you comprehend its destiny and resources—see that you discharge,
 " with energy and elevation of soul, the duties which devolve upon you in
 " virtue of your position."

When, in 1864, the Hon. Mr. McGee was entertained in Halifax, as a member of a Government formed to promote a Confederation of the Colonies, Mr. Howe made the following speech:—

" He was not one of those who thanked God that he was a Nova Scotian merely, for he was Canadian as well. He had never thought he was a Nova Scotian, but he had looked across the broad continent, at the great territory which the Almighty had given us for an inheritance, and studied the mode by which it could be consolidated, the mode by which it could be united, the mode by which it could be made strong and vigorous, while the old flag still floated over the soil. He was de-

"lighted to see such a scene as this, which gave promise that that which was the dream of his boyhood would be realized before he died.

"Thank God the time had come when Her Majesty's subjects, whether English, French, Scotch, or Irish, might meet together under the old flag, and maintain common sentiments of unity, and look forward to the time when we should make a new England here; not a new England with republican institutions, but a new England with monarchical institutions. He had always been in favour of the Intercolonial Railway. He wished every now and again to see the seething falls of Montmorenci, to see the Indians of Lorette dancing about the silvery stream; he wanted to visit Canada, not once in a lifetime, not once in five or six years, but once or twice a year.

"With the territory of Canada, with the rivers of Nova Scotia, with the inexhaustible fisheries, what a country to live in! And why should Union not be brought about? Was it because we wished to live and die in our insignificance, that we would sooner make money rather than that our country should grow? God forbid! He felt that it was too late to say much, though there was much to say. He knew that the Canadian gentlemen would take in good part what he was going to say. He had always been in favour of uniting any two, three, four, or the whole five of the Provinces. Well, they knew the history of the past in Canada; they knew what division had produced there, and how, under the divine dispensation, they at last became united into one magnificent colony. There now came rumours across the land that they were going to split Canada into two parts again; that they were going to reduce that country to its low status of two Provinces instead of one. O, my friends, said the hon. gentleman, go back to your homes, and say that there is at least one Nova Scotian honest enough to say to you this,—that, if you do that, you will commit an act of political suicide; and although I ought not perhaps to give you the advice, I would rather see every public man upon both sides of politics crucified, than I would divide Canada now that Canada is united. Join the Maritime Provinces if you can; but, at any rate, stick together—hold your own. Let the dog return to his vomit rather than Canada to division. In conclusion, Mr. Howe said that he was pleased to think the day was rapidly approaching when the Provinces would be united with one flag above their heads, one thought in all their bosoms, with one Sovereign and one Constitution."

Mr. Howe, at Port Robinson, in Canada, in 1862, thus eloquently defended the Canadians against any who would dare to traduce them:—

"And still some few sad thoughts arose on this occasion when he remembered the insulting manner in which such Canadian people as those present had been spoken of in England. Certain Lords at home had been slandering these fine people. Yes, the Lords and Commons of the

" British Parliament, together with a professor of some University, and
 " two or three newspaper editors, had been slandering Canada. *
 " * * * These very fields around, in the vicinity of
 " this very meeting place,—these very fields with their stormy recollections,
 " —were a sufficient testimony against such a supposition that the people
 " of Canada were not worthy of defence. The erudite noblemen of
 " England ought to have known better than to have sent forth such
 " slanders. * * * As to the attacks
 " made upon Canada in the British Parliament, as to the imputation that
 " the Provinces were no longer worth fortifying, he would remind her
 " slanderers that Canada had been loyal to the Crown for more than a
 " century. He would tell them that it was the local militia of Canada
 " that twice put down disturbances. He would remind those Lords and
 " Peers that if Canada desired to sever her allegiance to Britain, she
 " could very readily have crushed the handful of troops in the Provinces
 " when the disturbances broke out. By doing as she had done, Canada
 " worked herself on to her present great position. Their old battle-fields
 " near at hand had been the scenes where Canada had testified her loyalty.
 " * * * Fresh as he (Mr. Howe) now was from
 " Lower Canada, from pleasant intercourse for a few days with French
 " Canadians,—fresh from their homes and places of business,—fresh from
 " a people who stood high in intelligence and business abilities, and whose
 " manners were inviting and their society agreeable,—he could testify that
 " those French Canadian gentlemen, and their French Canadian popula-
 " tion, were in a position of strength and prosperity which at once pro-
 " nounced those English statements as slanders. * * *
 " He looked hopefully forward to the time when the great Provinces of
 " Canada would be connected with the Provinces below, and when a
 " man would feel that to be a British American was to be the citizen of
 " a country which included all these fertile lands, all these inexhaustible
 " fisheries, all this immense marine,—carrying to all seas the flag of Old
 " England, if she would let us; if not, the flag of British America."

What must your Lordship think of any public man who could, after thus lauding Canada and its people, in their presence, only four years ago, now assail them before the British public with detraction so unqualified?

The action of Canada, when recently threatened with invasion, has given the best answer to all that Mr. Howe has said against her loyalty. A call for ten thousand volunteers was so eagerly responded to, that in twenty-four hours fourteen thousand armed men were ready to march in any direction to defend their country and their institutions.

Mr. Howe next undertakes to show that the antagonism of

race forms a fatal objection to the proposed Confederation. He says, p. 6 :—

" The history of Canada, since the passage of the Union Act, has developed a strange antagonism between the Upper and Lower Province, with which the population beside the sea may be pardoned if they desire to have nothing whatever to do. There is warning in the antagonism of races arbitrarily bound together, shaken by incompatibility of temper, till the moment of separation, as in the case of Belgium and Holland; and history is full of examples to prove how indelible are the lines which divide large masses of men speaking different languages, and springing from sources whose original water-shed (to borrow a figure from the geographers) has been marked by impassable barriers. The history of Canada, for the last twenty years, is but the history of one long struggle between the two nationalities of which the Province is composed. * * * They are not, as we have shown, a very harmonious or homogeneous community. Two-fifths of the population are French and three-fifths English. They are therefore perplexed with an internal antagonism which was fatal to the unity of Belgium and Holland, and which, unless the fusion of races becomes rapid and complete, must ever be a source of weakness. *

" The conflict has been aggravated by another anomalous contrivance which is a pure Canadian invention. In England, and in all the other Colonies where her institutions have been copied, a Cabinet is formed by a gentleman, who leads the Government and directs the policy of the country for the time being; but this simple mode rarely satisfies the conflicting races and rival sectionalism of Canada. For many years they have had two leaders, resting on double majorities, each side of the Cabinet responsible to its own division of the Province; and, as might readily be supposed, the consequences have been interminable deadlocks, a great obstruction to business, and an exasperation of the ordinary conflicts incident to a representative system of government, often ludicrous and vexatious in the extreme.

" From all these complications and difficulties the Maritime Provinces are now free, and surely they may be pardoned if they have no desire to be mixed up with them. Their system is very simple. They govern themselves as completely as any other British Provinces, or any States of the American Union, in perfect subordination to the Government and Parliament of the Empire."

The following speech, made by Mr. Howe, at Quebec in 1851, affords an amusing contrast to the foregoing extract :—

" Before I close, let me allude to one topic which is often referred to as unfavourable to our future progress. The distinction of race is the invidious theme upon which alarmists love to dwell. Perhaps you will bear with me when I say, that to a stranger coming among you, these very distinctions supply most of the variety which charms. We Anglo-

" Saxons, proud of our race and their achievements, are too apt to forget
 " how largely the Norman-French element entered into the composition of
 " that race. We forget that Frenchmen lorded it over England for cen-
 " turies; that their laws were administered in her tribunals, and their
 " language spoken in her courts. Gradually the distinctions faded, and
 " out of a common ancestry came a new race, which has given laws and
 " civilization to the world. So it will be now. Sprung from two of the
 " foremost nations of the earth, speaking two noble languages, copying
 " from each other the arts of life, the varying lights and shades which
 " give it expression, who doubts that a race will grow up in North
 " America equal to the requirements of the country, and proud of the
 " characteristics of the great families from which they have sprung."

Again, in a speech delivered in the House of Assembly of
 Nova Scotia, Mr. Howe said :—

" Gentlemen should bear in mind that the Frenchmen of Lower
 " Canada were right almost up to the time they had turned out with arms
 " in their hands. * * * * *

" An idea now started was that the French of Lower Canada should
 " be Anglified. It was urged they should be either driven out of the
 " Province or be forced to speak the English language. One, no doubt,
 " could be as easily effected as the other. This however was not the
 " policy after Wolfe's victory. It was then thought wise to keep the
 " Colony filled with Frenchmen, as a barrier to the United States. This
 " policy was well rewarded at a subsequent period, when those Frenchmen
 " turned out zealously to repulse the enemy and resist invasion."

In 1852, Mr. Howe said, in a speech in the Legislative
 Assembly :—

" I venture to say that any gentleman who saw Canada seven or eight
 " years ago, and who sees her now, will tell us that she has sprung forward
 " with a bound, and has felt an immediate impulse from the operations
 " of her free institutions. All her public measures have been carried with
 " a spirit of unprecedented harmony."

It cannot be disputed that the provision in the present con-
 stitution of Canada, which makes the number of representatives
 equal in Upper and Lower Canada, irrespective of their popu-
 lation, has been fraught with all the difficulties so fully foretold
 by Lord Durham when it was originally suggested ; but, surely,
 Mr. Howe ought to be able to see that the Confederation of the
 British North American Colonies, upon the basis of representation
 by population, not only disposes of that difficulty, but that in
 the antagonism of race, language, and religion, which he asserts

exists between Upper and Lower Canada, and the "indelible character" of such causes of difference, the Maritime Provinces have an undoubted assurance that with forty-seven members in a House of Commons of one hundred and ninety-four members, it is quite impossible that their interests can ever be endangered.

It ought not to be necessary to inform Mr. Howe that the anomalous arrangement which required "double majorities," upon which he, again and again, in his pamphlet, lays so much stress, has no existence save in his own imagination. It was abandoned years ago in Canada, and the practice of England adopted.

The other portions of the foregoing extracts have been already so thoroughly refuted by the quotations I have given from Mr. Howe's speeches as to require no further attention; but I cannot pass by the assertion, that all these constitutional difficulties have existed in Canada alone, and the boast that the Maritime Provinces have been entirely free from them, without contradiction.

The archives of the Colonial Office will prove, that since free institutions were conferred on British North America, each of the Maritime Provinces has been the scene of struggles on constitutional questions in which the interference of the Imperial Government has been invoked much more frequently than Canada. In fact, it has been abundantly shown that the difficulty of working the British Constitutional system is in an inverse ratio to the size of the Colony to which it has been applied. Nova Scotia, Newfoundland, and Prince Edward Island, have, within the past half-dozen years, been the theatre of more bitter political contests on religious questions than have ever convulsed Canada.

No one, my Lord, in the least acquainted with political science can doubt, that just in proportion as you extend the field of enterprise, and the minds of public men are occupied with large and important questions, the moral status will be elevated and the intellect exalted above the narrow, personal, party, sectional, and sectarian influences, that often detract so much from the character of those upon whom the conduct of public affairs is devolved.

Mr. Howe says :—

"Many people believe that the British Empire is too large. This may or may not be true, but there seems only too much reason to fear that it must collapse whenever the dominion of the sea is lost; and how to retain it would seem to be the question for us all to consider at the present time."

No man, except Mr. Howe, is likely to entertain the extraordinary idea, that Nova Scotia, with a thousand miles of unfortified sea coast, can be better held when New Brunswick and Canada, now British Provinces, have been abandoned to the enemy. It is obvious, therefore, that the loss of Canada means the loss of New Brunswick; and that when they fall into the hands of a foreign power Nova Scotia must inevitably share their fate. Need I then ask your Lordship whether the cause of civilization, of human progress, and of the peace of the world, to say nothing of the security of this Empire, renders it desirable that the United States should acquire these Colonies? British America has an area of four hundred thousand square miles, and a population of about four millions. Her revenue exceeds fourteen millions of dollars. Her trade in imports and exports amounts to one hundred and fifty millions of dollars per annum, and she has more than one million tons of shipping, and is building ships at the rate of a quarter of a million of tons per annum. She is developing, as fast as lies in her power, the same free-trade policy which is now accepted on all hands as the great source of Britain's prosperity. But I will not refer to the disadvantage to this country of having these great and rising Colonies embraced in the exclusive and protective policy which prevails in the United States; but, taking a more cosmopolitan view of the question, confidently ask, whether there is any other country in the world that would be willing to see the power of the United States extended over British America?

That the acquisition of the British Provinces is desired by the Government and people of the United States is, I think, apparent. The great counteracting influence of slavery in the Southern States is gone. While slavery existed, the South was hostile to the acquisition of northern and anti-slavery territory. Now that objection is removed, and the United States on every account are anxious to acquire those Colonies. This would bring to their aid, in sustaining the enormous debt and taxation that

have been thrown suddenly upon them, a prosperous country as large as their own. It would remove the contrast which the free and untaxed people of British America will furnish to their American neighbours, and which must attract population, capital, and skill, that would otherwise flow into the United States. It would give them possession of the valuable timber forests of Canada and New Brunswick, the great coal-fields of Nova Scotia, and the priceless fisheries of British North America. It would swell their marine to truly gigantic proportions. It would strike down the Free Trade policy of British America, which gives to the manufacturers of England advantages so great, and interferes so largely with the fiscal policy of the Republic. And, above all, it would enable the Americans to attain the great object of their ambition—the sway of the entire continent.

Influenced by such considerations as these, the Government and Congress of the United States abrogated a Reciprocity Treaty at an enormous commercial sacrifice. Under the operation of that treaty, the commercial intercourse between British America and the United States had assumed proportions twice as great as would otherwise have existed. The balance of that trade was largely in favour of the States. The Eastern States depended upon Nova Scotia for gas coal, and were largely engaged in the prosecution of the fisheries in British waters. Yet every commercial consideration was sacrificed to the desire to produce a feeling in favour of Annexation by embarrassing the trade of the Colonies. The reception on the floors of Congress of Fenian Leaders, and the recent expressions of the President of the United States, show the extent to which even the threatened invasion of Canada obtains the sympathy of the people of that country.

All that, in my opinion, is required, my Lord, to meet effectually this condition of affairs, and secure not only British America, but preserve a lasting peace between Great Britain and the United States, is the Confederation of the Provinces and the firm but temperate assertion by the British Government of the admitted rights of this country. A policy of concession is certain to be misunderstood, and attributed to anything but magnanimous and generous motives. A feeling of profound devotion to the Crown of England, of unqualified attachment to British institutions,

pervades every portion of British America, including all races, religions, and parties. They have the same pride in all that has made the Empire glorious that is felt by the inhabitants of these islands, and they are all animated with the conviction that, under the free institutions that prevail in British America, there is a security for life, and property, and personal freedom, which is to be found neither under the despotic Governments of Europe nor the republican institutions of America. Our greatest incentive to a Union of British America is that we may be better able, as an united people, to discharge our duty to our Sovereign, and that we may hand down more securely, to our children, the priceless blessings of the British institutions which we so highly value. 'The Province of Nova Scotia annually calls out for several days' drill, no less than fifty thousand able-bodied and intelligent men, who cheerfully respond to this call of duty without a farthing's remuneration. The readiness with which they acquire a knowledge of military evolutions has excited the admiration of the highest professional authorities. An artillery corps, of a thousand strong, is trained at Halifax, to man the fortifications; and a naval brigade is now being formed in all the principal ports of the Province.

If the three hundred and fifty thousand inhabitants of Nova Scotia can make such an effort in the defence of their country, what may not be expected of the four millions of British Americans animated by the same feelings of loyalty, braced by an invigorating climate, inured to camp life and the use of the axe and the rifle! That the loyal spirit of my countrymen will meet with the encouragement and co-operation from the Parent State to which it is entitled I entertain no doubt, and if it do, my Lord, no one need entertain any fear for the peace and security of British America when once united. The prompt adoption of the British policy of Confederation, when it was proposed by the Quebec Conference, in 1864, and heartily concurred in by the British Government, would, I am confident, have prevented the abrogation of the Reciprocity Treaty, and would have avoided all trouble from the Fenians.

The Annexationists who are endeavouring to obtain the British Colonies by political means, and the Fenians and their sympathisers, were alike deceived by the false impression that

the reason why Confederation had not been accepted was that a large portion of the people would prefer to join the United States. The subsequent action of the Legislatures of New Brunswick and Nova Scotia, where, by very large majorities, the Union policy has been adopted, will undeceive these people; and if the Union of the Provinces is now consummated, in twelve months hence the American Government will, in all probability, sue for a similar Treaty, and the designs of the Fenians upon British America will, doubtless, be numbered among the things of the past; as with the Union of the Colonies, all hope of their acquisition, either by diplomacy or force, will speedily disappear.

Mr. Howe says that "the English did not aspire to govern subject communities when they were only three millions of people, and were without a navy." Does he not know that the American States achieved their independence with a smaller population, less trade, less revenue, and infinitely less shipping than British America—which only wishes to perpetuate, in Union, its present form of government—can now boast?

The purchase of the Hudson's Bay Territory I need not touch upon, as the question of Confederation is quite independent of it, but it is only necessary to read the following extracts from Mr. Howe's pamphlet to show that something ought to be done to remove what he declares "is a standing reproach to the British Government, and a blot upon our civilization:"—

"Between Canada and the Rocky Mountains, and divided from her by a belt of comparatively sterile country, lies a magnificent region, which is a standing reproach to the British Government and a blot upon our civilization. The Republicans have shown their appreciation of the value of this territory by providing, in General Banks' Bill, that it shall be organized at once into two Territories, and presently into two States of the Union. What has England ever done with it? While the Government of the United States has, within the past half century, formed out of their great West one noble State after another, which have become the granaries of Europe; the Government of England, having a West of great extent and fertility, have done nothing national or statesmanlike with it, but have allowed it to be locked up as a hunting-ground, for the exclusive benefit of a Fur Company, who, monopolizing the consumption of Indian tribes reduced to a state of subjection akin to slavery, have maintained to this hour, in the face of the free ideas and advancing civilization of Europe and America, a job so gigantic that men stand aghast when they contrast the unpeopled wilderness which these persons have got to show with the noble States, populous cities, and waving cornfields on the other side of the line."

That the inhabitants of the Red River country should long with eager desire for the same security for life and property which Canada enjoys, is but natural, and that all the British North American Colonies, both on the Atlantic and the Pacific, should look with intense jealousy upon the prospect of seeing forty millions of acres of the most fertile land in the world lying between them overrun and appropriated by a foreign power, can surprise no one except Mr. Howe, who seems to have arrived at the conclusion that the presence of British subjects on the Northern Continent of America is only tolerated by the giant Republic during "good behaviour."

Lest your Lordship may suppose I am not doing justice to the spirit of Mr. Howe's pamphlet, let me invite your attention to the following passage. Referring to the desire which has in some quarters been expressed to see a member of the Royal Family, at some future day, at the head of a great British American power, Mr. Howe says :—

"In thus respecting our rights, the American Government have had
 "to withstand pressure at all times from those who adhere to the Monroe
 "doctrine. Of late this party has been reinforced in two directions, by
 "the financiers who see in a long line of frontier a certain loss of revenue
 "while high duties prevail, and by the Fenians who affect to have dis-
 "covered in the Provinces the shortest road to Ireland. Hitherto the
 "Government of the United States has loyally resisted this pressure.
 "If matters remain as they are, I think they will loyally resist it still;
 "and will not, in the face of the world, assume the responsibility of
 "provoking a great war by any attempt to rectify boundaries, or interfere
 "with political arrangements which they have for eighty years solemnly
 "recognized.

"But if we begin in a spirit of menace (which has been too prevalent
 "throughout these Confederation discussions) to build up new nation-
 "alities, and to plant Crown Princes beside them, who can tell what may
 "happen? How long will the American people, thus challenged, be in-
 "different, and how long will their Government be able to withstand the
 "pressure? No sooner is the Quebec scheme launched than we are met
 "by another, far more comprehensive and seductive, to incorporate the
 "Provinces into the Republic, and by a proposition sustained by an
 "unanimous vote of the House of Representatives for a repeal of the
 "Neutrality Laws. These propositions are naturally born of the other,
 "and those who desire to see the two countries united in the bonds of
 "peace should pray that all may be thrown into the fire.

"Before we seriously entertain the policy of making one of our

"Royal Princes Viceroy or King of Canada, let us ponder what is *passing in Mexico* at the present time. Louis Napoleon, in America's hour of sore distress, thought to build up a 'New Nationality,' and Maximilian accepted the throne. He has worn what one of the newspapers aptly describes as a 'Crown of Thorns' for a few brief years; his Empress is now in France, and the Emperor can only sustain him on his tottering throne by risking an expensive and bloody war with a very doubtful issue. Will he do this? We shall see. But come what will, enough is already known to warn us from repeating the Imperial blunder at the instance of certain purblind Canadian politicians, who certainly have an original way of manifesting their attachment to the Sovereign by proposing to overwhelm her family with humiliation and disgrace."

Mr. Howe commenced his argument by treating the Union of Canada and the Maritime Provinces by an Act of the Imperial Parliament, passed at the request of the Legislatures of the Colonies, as "spoliation and appropriation on a more gigantic scale than any that has startled Europe," and compared it to "France extending her borders to the Rhine;" here he deliberately proposes to Englishmen the humiliating doctrine that, trembling in the presence of a power so gigantic as the United States, British institutions in British America must be moulded in conformity with the views of the Republic, and that the British Government have no more right to carry out the monarchical principles of England in their own territory in America than Louis Napoleon to found an empire in Mexico for Maximilian.

Whether, my Lord, the day will ever arrive that British America, grown into an empire, may venture to ask for a king from the house of Brunswick, it is not necessary now to inquire. The name and rank of United British America may safely be left where the Quebec Conference left it—in the hands of Her Majesty the Queen; but I cannot believe that the craven sentiment contained in the above extract will find any response in the hearts of any loyal subjects of the Crown in this country; I can boldly say it will not in those of my own. When, my Lord, the dark hour for England's greatness arrives, in which it will become necessary for her to ask permission from any power in the world to maintain monarchical principles in all their purity and greatness in any portion of her empire, the magic words *Britannicus sum* will have lost the talismanic influence which

now attaches such value to them throughout the civilized world.

The Bill introduced by Mr. Banks into Congress, and which appears to be so "reductive" to Mr. Howe, providing for the admission of the British Provinces into the Union, has been only regarded as a piece of vulgar insolence, and treated with the same intense ridicule, both in this country and in America, as would be excited by a proposition from a member of the French Chamber to annex the British Islands. The expression of these extraordinary and insulting pretensions now put forward by Mr. Howe, of the right of the United States to dictate what institutions shall be permitted in British America, has not even the merit of originality to excuse it.

The Annexationists of New York and the Fenian organization have both published manifestoes and issued proclamations to the opponents of Confederation in British America, containing language almost precisely similar to that quoted above. The proclamation from the Annexation League, dated New York, August 1866, says :—

"It is fixed by the inexorable logic of events that Canada must become a prominent and distinguished part of the United States. The establishment of a monarchy upon the northern boundary of the United States is contrary to its policy, inimical to its vast interests, and the expressed views of its thirty-six millions of people."

In the *Irish People*, the organ of Fenianism in New York, I find the same sentiment now so fully put forward by Mr. Howe :—

"England knows that she must lose Canada unless, by some leger-demain, she can convert it into a monarchy for Prince Alfred. But then that ugly Monroe doctrine stares her in the face, and America is not to be bullied or trifled with any longer."

Again the *New York Herald*, equally the enemy of England, and zealously co-operating with the Annexationists, the Fenians, and Mr. Howe, in opposing Confederation, says :—

"There is another reason why the mission of the Fenians is identical with that of the United States. It is opposed to the Confederation or Consolidation of the Canadian Provinces with a Guelph upon the throne, and it is also opposed to Imperialism in Mexico, with an Austrian or any

" other European Prince upon the throne. The policy of the Fenians, like that of the first Napoleon, is Anti-Anglican. It opposes English men and English measures from all points and all nationalities."

Mr. Howe says truly that the Fenian excitement produced a strong feeling in favour of Confederation in the Maritime Provinces, and contributed to its adoption. Nor was it surprising that loyal men of all classes should have been rallied under the flag of British Confederation, when the Fenians boldly proclaimed that they were prepared to co-operate with the enemies of Union in preventing the Consolidation of British power in the North American Colonies.

Mr. Howe predicts that—

" The first session of the Confederate Legislature would not have closed before the logical results of the false step we are asked to take would be apparent, and the Colonial Secretary would be informed that he might withdraw his Viceroy, and the Foreign Secretary that we had sent our own Minister to Washington."

I will not say that the wish is here father to the thought; but it would certainly not be unnatural if it were so, with one who seems so deeply imbued with an overpowering sense of the greatness of the United States, and the impotency of England and her Colonies to preserve the latter, as again evidenced by the following extract:—

" If British America, organized into a nation, could stand alone, free to cherish and to act upon her hereditary attachment to these Islands, and if the Parliament of Great Britain, with the consent of the Crown, after full review of the interests of the Empire, were to absolve us from our allegiance, we might with cheerful spirits set about the task, however unwisely and prematurely imposed. We might have attempted this with a chance or two of success in our favour ten years ago, when the United States presented the aspect of a great industrial community, indisposed to war, with whom we had diplomatically adjusted every irritating question, and whose standing army numbered but ten thousand men. But now the whole chequer-board has changed. The United States have suddenly become a great Military and Naval Power. When the Union is reconstructed and the Southern States are brought again within the fold, there will be a million and a half of disciplined soldiers and a powerful navy for Lord Monck's new nationality to confront; and what is more, the Reciprocity Treaty has expired, the Alabama claims are unsettled, and a million of Fenians have sprung up to give an aggressive turn to American diplomacy, and to hang like a war-cloud over the frontier."

Who would suppose that this was the same Union in which the "game was played out," to use Mr. Howe's graphic expressions on page 8 of his pamphlet; that this was the same power in which, from "ever recurring elements of discord and reproach, the time is rapidly drawing on when separation is inevitable," and when "new combinations will grow out of the play of the passionate ambitions which the wit of man has hitherto been found powerless to control?" But, seriously, assuming, as Mr. Howe does, that a special interposition of "Providence may calm the tempest of angry passions which the late Civil War threw up, and the Republic may stagger on for some years," I need not remind your Lordship of the entire fallacy of Mr. Howe's premises, as we neither desire to form an independent nation, nor ask to be absolved from our allegiance to the Crown. Our highest ambition is to preserve intact the glorious privileges we now enjoy under the free institutions which have been already conceded, in order that we may, under one Government, be better prepared to maintain amicable relations with all Foreign States, and co-operate more effectually than we otherwise could with the Imperial Government in any contingency whereby British power in America might be endangered.

Mr. Howe not only treats the proposed Confederation as an attempt at "spoliation" on the part of Canada, but says the ambition of her public men overleaps that of "Bismarck or Louis Napoleon." Does he not perceive that if it be true, as he asserts, that Canada is shut out from the sea during the winter months, and can never become a really great country, and that the equally balanced state of the Legislature between Upper and Lower Canada made a change in her Constitution indispensable, it was not strange that she should seek, in a Confederation, the means of obtaining access by railway to the ocean, and of removing that embarrassing provision of her present Constitution by which the two great sections of the country were equally represented in the Legislature irrespective of their growth or population? The reflection that Mr. Howe had himself endeavoured to induce Canada to unite with the Maritime Provinces, for the obvious reason that it would make the latter the "ocean frontage" for a great country lying behind them, teeming with wealth and industry, ought for ever to prevent him

from charging Canada with attempted "spoliation." That neither Canada nor the Maritime Provinces can ever attain any real greatness, except in such a combination as is now proposed, cannot but be seen by anybody in the least acquainted with the position they occupy relatively to each other. With a different geographical position, and with diverse natural productions, they are formed for mutual co-operation and support, and, under the influence of an united interest, will, I believe, exhibit a rapidity of development which will astonish the world.

It will not be necessary for me to meet the statement that the proposed Confederation will diminish the power of England by transferring the seamen of Nova Scotia to Ottawa, founded as it is upon the baseless supposition that Confederation, which has ever been regarded by its promoters in the Colonies, and by the Imperial Government, as the best means of cementing the bonds of union between them, means the formation of a separate and independent power.

Mr. Howe endeavours to excite hostility against Canada among British manufacturers by saying:—

"Then certain persons in the manufacturing towns had been disgusted with the high duties which Canada had imposed on British productions. They were angry and did not stay to reflect that, if Canada were in error, the Maritime Provinces ought not to be punished for her faults, seeing that they had never followed her example."

It would only have been ingenuous had Mr. Howe repeated what he said on this subject a year ago at Detroit, when defending the Canadian Tariff:—

"Now in the Provinces our people are naturally anxious to improve their internal communications, and bring them up to a level with other portions of the continent. Yielding to this pressure, the Government of Canada has expended large sums in the construction of railroads and canals. But the money being expended, of course the interest has to be paid, and that this might be done, changes have been made in the tariff from time to time. The necessities of Canada from these large expenditures compelled her to raise her import duty."

He might have added that, when Nova Scotia and New Brunswick have completed the public works contemplated under existing enactments, their indebtedness per head will be as large as that of Canada. But assuming that it be true that the policy

of the Maritime Provinces is much more in favour of Free-trade than that of Canada has been, is it not the interest of every British manufacturer to throw that free-trade leaven into the Canadian Legislation? It would have been but just had Mr. Howe admitted the well-known fact, that from the date of the Quebec Conference down to the present hour, the greatest strides have been taken in Canada in the direction of Free-trade, and that the opponents of Union have especially denounced Mr. Galt, the late able Finance Minister of Canada, for having carried a measure through the Legislature at the last sitting, putting in the free list the goods charged 30 and 25 per cent. duty, and reducing the 20 per cent. tariff to 15. No one thing has been so held up to public reprobation in the Maritime Colonies by Mr. Howe and the opponents of Union, as any attempt to substitute direct taxation in lieu of a duty on imports; and yet he ventures to appeal for aid to the sympathy of the manufacturing interests of this country.

Mr. Howe says:—

“When Herod and Pilate coalesced there was a sacrifice, and when “Mr. Galt and Mr. Brown, after years of personal bitterness and malignant vituperation, consented to clasp hands, it was with the understanding that the Lower Provinces, which had had nothing to do with “their disputes, were to be sacrificed to illustrate their reconciliation.”

Suppose this to be true, as Messrs. Galt and Brown only adopted the policy proposed by Mr. Howe, I might ask, were I disposed to pursue this rather profane figure, whether he was not the Judas who had betrayed the Maritime Provinces?

In referring to the imposition of a duty on American flour by Canada, which is a large exporter of breadstuffs, Mr. Howe ought to have stated that Nova Scotia adopted the same policy, as the best means of promoting the renewal of the Reciprocity Treaty; and he might have added that the price of flour cannot thus be enhanced in the Maritime Provinces, as Canada exports annually to the States the eight hundred thousand barrels of flour which the Maritime Provinces import. The effect, therefore, of this policy will be, to lead to a mutually advantageous interchange of articles among the Provinces, without enriching our Republican neighbours by the charge levied *in transitu*, and teaching them, at the same time, the useful lesson that their

voluntary obstructions to the trade which had grown up under the Reciprocity Treaty will injure no one so much as themselves.

Apparently anxious to unsay everything he had previously uttered, Mr. Howe next endeavours to obtain the co-operation of a very small class of public men in this country looking for Colonial Governorships. The Quebec resolutions provide that the Governor-General of British North America, selected by Her Majesty, shall in Council appoint the Lieutenant-Governors of the Provinces of which the Confederation is composed. Referring to this proposal, Mr. Howe says :—

"The single 'golden link,' as it is sometimes called, which binds us to the mother country, is to be rudely severed, and the only piece of patronage reserved to the Crown in return for the protection which the 'New Nationality' cannot do without, is to be wrenched from the Sovereign and dispensed from some bureau at Ottawa. The pretension is modest. Looking down the long line of Governors who have been sent to us from England, there may have been one or two not otherwise, or who were indiscreet, but at all events they were gentlemen, and many brought with them ladies trained in the accomplishments and pure domestic life of this country. I can remember Lord Dalhousie, Sir James Kempt, Sir Peregrine Maitland, Sir John Harvey, Sir Gaspard Le Marchant, Lord Normanby, and others, who had acquired experience or won distinction in the service of the Crown. The example set by such people and their families is to be traced in the social cultivation and gentle manners diffused from our capital to the shire towns, and all over the country. But all this is to be changed. Of course no such people will be eligible under Confederation. No nobleman or gentleman, who has served his Sovereign by land or sea, need apply. Even the Victoria Cross would be no recommendation."

Your Lordship will not fail to perceive that, with a view to harmonious action between the General and Local Governments of the Confederated Provinces, it is indispensable that the representative of the Queen in British North America should be empowered to appoint the Lieutenant-Governors. Nor do I believe that the prospect which this arrangement presents of providing in the Colonies posts of honourable distinction to which valuable servants of the Crown, who have devoted their time and talents in the service of their country, may properly aspire, will be regarded by any patriotic mind in Great Britain with any but feelings of unalloyed satisfaction,

I will not say one word to detract from the high character of the Governors sent by the Crown to the Colonies. The administration of the distinguished nobleman, Lord Monck, who now presides over Canada, has been marked by the most signal ability and success. The honour of the Crown has been maintained, and the best interests of the country promoted during years of unusual difficulty and danger. In Nova Scotia, men of all classes revere the character of the intrepid Sir Fenwick Williams, whose military genius shed such lustre on British arms at Kara; while his regard for constitutional usages commands the confidence and respect of all political parties in the Colony. The gallant General Doyle, who now administers the government of New Brunswick, has for long periods, on two occasions, represented Her Majesty in the Government of Nova Scotia. Both during the *Trent* difficulty and the *Chesapeake* affair he proved equal to every emergency, and all parties in the Legislature joined in an unanimous address, congratulating him on the success which marked his administration. But, my Lord, while bearing my humble testimony to the worth of these distinguished men, I would be guilty of the greatest injustice to the public men of British America did I permit this imputation upon their attainments and position to pass unnoticed. No country in the world has, in proportion to its progress, produced more men whose unselfish devotion to the best interests of their country has not only elevated and advanced the Provinces to which they respectively belonged, but also proved their fitness for the discharge of the highest gubernatorial duties in any portion of Her Majesty's Colonial Empire. I am quite ready to admit that the wives of the Lieutenant-Governors sent from this country have been graced by all the accomplishments which lend such a charm to society in England; but it would be both unmanly and unjust did I conceal the fact, that in British America they have found themselves associated with ladies who were not their inferiors in refinement of manner or intellectual culture.

The following extracts from Mr. Howe's writings and speeches will show your Lordship that his estimate of British North Americans has not always been so low, or his sycophantic admiration of English gentlemen so unqualified, as the above would

indicate. In the prospectus of the British North American Association, written by him in 1862, the following passage occurs :—

"The loyal Provinces of British America are unrepresented here, either in the Government or in society. No provision is made for them; and upon the scant courtesy of any administration they have no claim. When queens are crowned, princes buried, parliaments opened, treaties framed, or wars declared, their existence is ignored, and their feelings are never respected. Governors are sent to them of whom they never heard,—who are unknown to the higher walks of British parliamentary life, science, literature, diplomacy, or war; and now, with war impending along a frontier of fifteen hundred miles, the two largest Provinces have been intrusted to two officers who never saw the countries to be defended, and are without any local knowledge or experience."

Mr. Howe, in his speech on Mr. Johnston's resolution in favour of Union in 1854, said :—

"The time will come—nay, sir, it has come—when these degrading distinctions must no longer peril our allegiance. Will any man say that North America does not produce men as fit to govern States and Provinces as those who rule over Maine or Massachusetts at this hour? —as most of those who are sent to govern the forty Provinces of the Empire—as many that we have now sent to darken, counsel, and perplex us in the West? How long will North Americans be content to see their sons systematically excluded from the gubernatorial chairs, not only of the Provinces that we occupy, but of every other in the Empire? Not long. If monarchical institutions are to be preserved, and the power of the Crown maintained, the leading spirits of the Empire must be chosen to govern the Provinces, and the selection must not be confined to the circle of two small islands, to old officers, or broken-down members of Parliament."

Twenty years ago Mr. Howe said, in a letter to Lord John Russell :—

"There are men now in North America who, if these Provinces were States in the Union, would be generals, senators, governors, secretaries of state, or foreign ambassadors. I have seen and heard those who figure in the State Legislatures and in Congress, and, with a few exceptions (formed by the inspiring conflicts and great questions of a vast country), I could have picked their equals from among Her Majesty's subjects on this continent at any time within the last ten or fifteen years."

The following extract is from the report of a speech made by Mr. Howe in New Brunswick in 1851 :—

" Having very adroitly sketched some of the prominent public men of New Brunswick, and brought out in bold relief the proportions of that great field of honourable emulation and exertion which they would tread, when Union of the Provinces by iron roads had been followed by the political organization which would be the immediate result, he said :—

" If the sphere were wide enough here, what would you do with such men? You would send Judge Wilmot to administer justice. Where? To a small Province? No: but to an American Empire. You would place Mr. Chandler on the bench of the United Provinces; you would hold out to the young men of your country a sphere and a field for their exertions and their ambition which none of them have open to them now. How? By violence? By rebellion? By bloodshed? No. You would seek to live under the old flag. You would seek not separation from the mother country—that would be madness, folly, bad faith; but with the consent of the Sovereign, and the acquiescence of the Imperial authorities, by the united action and good sense of all the Provinces. You would seek by union to elevate them all to a higher status than any of them separately can ever enjoy. I believe that railways will be of great use to these Provinces, but I believe also that it is necessary, nay almost indispensable, to produce a social and political organization of the people, to raise these Provinces to a higher position than they can ever singly attain."

Having now noticed in detail most of the leading points in Mr. Howe's pamphlet, I will examine the question he has raised touching the Constitutional right of the Imperial Parliament to enact, at the request of the Legislatures of all the Colonies interested, a Union between Canada, New Brunswick, and Nova Scotia.

After full examination and discussion, both branches of the Legislature in Canada, in New Brunswick, and in Nova Scotia, by overwhelming majorities declared themselves in favour of Confederation, and now ask the Imperial Parliament to give effect to their wishes. Notwithstanding this Constitutional declaration of the wishes of the people of these British North American Provinces, Mr. Howe says, p. 24 :—

" The noblemen and gentlemen who were members of the last Administration are of course committed to this scheme. But let us hope

"that they are not too old to unlearn errors, or so unpatriotic as to persist in a line of policy that can no longer be defended; and that they will not lightly value the pledged faith of England to loyal and devoted communities, who have done no wrong; nor, in the face of such petitions as have been sent here from Nova Scotia and Newfoundland, attempt to sacrifice those Provinces at the shrine of Canadian ambition, without regard to the forms which in all free countries protect from rash innovation institutions which the people value."

Seriously, my Lord, it is difficult to understand how any one in the least degree acquainted with Constitutional usages under the British Representative system of Government could commit himself to a proposition so utterly at variance with every principle it embodies.

Sir W. Blackstone, treating of the power of Parliament, and quoting from Coke, says:—

"The power and jurisdiction of Parliament, says Sir Edward Coke, is so transcendent and absolute that it cannot be confined, either for cause or persons within any bounds. And of this high court, he adds it may be truly said, 'Si antiquitatem spectes, est vetustissima, si dignitatem, est honoratissima, si jurisdictionem, est capacissima.' It hath sovereign uncontrollable authority in the making, confirming, enlarging, restraining, abrogating, repealing, revising, and expounding of laws concerning matters of all possible denor. 'nations, ecclesiastical or temporal, civil, military, maritime, or criminal; this being the place where that absolute, despotic power, which must in all Governments reside somewhere, is entrusted by the constitution of these kingdoms. All mischiefs and grievances, operations and remedies, that transcend the ordinary course of the laws, are within the reach of this extraordinary tribunal. *It can regulate or new model the succession to the crown.*"

May, in his work on the privileges of Parliament, says:—

"The Legislative authority of Parliament extends over the United Kingdom and all its Colonies and Foreign Possessions, and there are no limits to its power of making laws for the whole empire other than those which are incident to all sovereign authority—the willingness of the people to obey, or their power to resist. Unlike the Legislatures of many other countries, it is bound by no fundamental charter or constitution; but has itself the *sole constitutional right of establishing and altering the laws and Government of the Empire.*"

The power of the Imperial Parliament being thus conclusively established, I need not remind your Lordship that,

under the Liberal Constitution which has been conceded to the British North American Provinces, the same powers are enjoyed by the several Local Legislatures, subject alone to the sovereignty of Great Britain, as are here possessed by the Lords and Commons of Great Britain. As Mr. Howe does not venture to question the wishes of the people of Canada, and as the people of New Brunswick, at the polls, have elected the present Assembly by a majority of thirty-three, pledged to support Confederation as opposed to eight dissentients, the question is narrowed down to Nova Scotia alone. In that Province, my Lord, at the last general election, Mr. Howe, the then Leader of the Government, was defeated at the polls, and has not since obtained a seat in the Legislature. Only thirteen members were returned out of fifty-five to support the Government of which he was the Leader. He was therefore compelled to resign, and his opponents were called upon to form an Administration. That Government has, up to the present time, been triumphantly sustained in the Legislature, having carried the most difficult measures by very large majorities. The resolution in favour of Confederation was passed by a majority of thirty-one to nineteen in the House of Assembly, and of thirteen to five in the Legislative Council. No one acquainted with Nova Scotia will venture to assert that the Legislature of that Province does not fairly represent the education, property, independent spirit, and industry of the Colony. In that vote the Government were sustained by the leaders of the Opposition, both in the Upper and Lower Chambers. The gentlemen who had held the offices of Attorney-General, Solicitor-General, Chief Railway Commissioner, and Receiver-General, in Mr. Howe's Government, in fact, every former member of his Administration now in the Legislature, except two, remained true to the principles with which he had so zealously indoctrinated them, and sustained the resolutions in favour of Union.

On page 7 of Mr. Howe's pamphlet he says, speaking of the Maritime Provinces :—

“ Their system is very simple. They govern themselves as completely as any other British Province or any States of the American Union, in perfect subordination to the Government and Parliament of “ the Empire.”

Again, page 12 :—

“ These Provinces now govern themselves, and do it well.”

Now, my Lord, what is the theory or practice of the British Constitution ? Where is the limit which bounds the power of Parliament, and says, thus far and no farther shalt thou go ? Where does Mr. Howe find the principle laid down in the British Parliamentary System that Constitutional changes can only be made by the “ people at the polls,” passing upon each individual question before it can have the force of law ? Now, my Lord, it has been the boast of Mr. Howe for twenty years, that, subject to the power of the Crown to disallow, we had the British Parliamentary System as perfectly as the Parent State. In 1840 a message was sent by the Governor-General to the Parliament of Canada, informing them “ that he had received “ Her Majesty’s commands to administer the Governments of “ the Provinces in accordance with the well-understood wishes “ and interests of the people, and to pay to their feelings, as “ expressed through their representatives, the deference that is “ justly due to them.”

Mr. Howe said in a speech in the Legislature, in 1840 :—

“ This House had asked for a Government responsible in local affairs “ before his Lordship (Earl Durham) saw this continent. He would refer “ to the address of 1837 ; in that they asked for such responsibility as “ would assure to the Provinces the fair influence of its Legislature in all “ matters and the spirit of the British Constitution.”

In support of this principle, Mr. Howe quoted the eloquent language of the great Mr. Fox, as follows :—

“ Had not a majority of the House of Commons, almost from time “ immemorial, governed this country ? Was it not a confidence in the “ House of Commons that gave energy and effect to every administration ? “ Was it not the countenance and concurrence of the House of Commons “ which gave popularity and stability to the throne ? Was it not in “ clashing with this radical and primary principle that so many calamities “ had happened in some of the reigns prior to the Revolution ? Was it “ not to the influence of this principle that we owed all the glorious and “ memorable things that had been achieved during the war before last ? “ What could be the reason for relinquishing a principle which ever since “ its prevalence has been marked with the most striking advantages ?”

In 1849, the British American League, embracing a great

body of able and leading men in Canada, undertook to suggest important Constitutional changes. Mr. Howe, on that occasion, gave Mr. Chapman, the chairman of that body, the benefit of his opinions as to the propriety of Parliament alone dealing with such matters, as follows :—

" A Confederation of the Colonies may be the desire of your Convention. If so, the object is legitimate; but it must be pursued by legitimate means. Believe me, it can only be wisely attained by and through the Provincial Legislatures, not by self-elected societies acting independently and in defiance of them. Suppose to-morrow propositions were submitted to the Lower Colonies for a Legislative Union or General Confederation. If made by the Government and Parliament of Canada they would be treated with deference and respect. If made by a party in opposition they would not be for a moment entertained. * * *

" * We desire free-trade among all the Provinces under one national flag, with one coin, one measure, one tariff, one post office. We feel that the courts, the press, the educational institutions of North America, would be elevated by Union; that intercommunication by railroads, telegraphs, and steamboats, would be promoted; and that if such a combination of interests were achieved wisely, and with proper guards, the foundations of a great nation in friendly connection with the mother country would be laid on an indestructible basis."

In 1842, Mr. Howe, in the Legislature, thus vindicated the rights of the Representatives of the People :—

" But when Representatives have been elected, though they are considered the peculiar guardians of the places whence they were returned, by the theory of the British Constitution, which we claim for our inheritance, and, according to the views of the highest minds in the Empire, the moment a man takes his place in Parliament he is not a Representative of a part of the country, but of the nation at large."

On the journals of the Legislative Councils for 1861, your Lordship will find the following minutes in Council, signed by Mr. Howe :—

" A vast majority of the people of England are not represented in Parliament at all, yet the Executive Council need not inform your Excellency that a public man would be laughed at who claimed to seize the Government because he had their support. Forty counties in England, with a population, in 1841, of nine million, one hundred and nine thousand, two hundred and eighty-one, had but one hundred and forty-three members, while one hundred and eighty-seven cities and boroughs, including but five million, eight hundred and seventy-nine

"thousand, three hundred and twenty-seven, had three hundred and twenty-three. Now what would be thought of any statesman, with the county members at his back, if he claimed to rule England, or compel the Sovereign to dissolve, with the Representatives of the cities and boroughs against him? What Representative of the smallest constituency in Great Britain would yield to the member returned by the largest any more influence than he had himself; or admit before a ministry was turned out that it was necessary not only to count the members in the lobbies, but their constituents also? * * * At this moment a majority of the people, of the constituencies and of their representatives, support the Administration, and we have a larger proportionate majority to sustain us than Lord Palmerston has in the mother country. Under these circumstances we are not very much afraid of the interference of the Imperial Parliament.

"January 29, 1861—*Minute*:—

"Mr. Hatfield and Mr. Campbell are the best judges of the soundness of their own views and the propriety of their conduct. They are not Delegates but Members of Parliament, and from the moment of their election they were bound to represent, not only Digby or Argyle, but the whole Province, whose great interests were committed to their care. This doctrine laid down by Mr. Burke at Bristol, in 1774, has never been questioned in the Imperial Parliament: and Mr. Horsman, member for Stroud, though recently called on by his constituents to resign, has asserted his rights, and illustrating this sound British doctrine, positively refused. If members were to resign whenever for a moment they displeased their constituents, the calls would be frequent—personal independence would be rare, and questions would be discussed by requisitions rather than by fair deliberation and manly debate. If Parliament were to be dissolved whenever a gentleman changed sides, or a discontented constituency petitioned, free institutions would become an endless distraction, and no man would ever dare to deliberate or run the risk of being convinced."

March 30th, 1861, Lord Mulgrave, by the advice of the Government, of which Mr. Howe was the Leader, said in a despatch to the Colonial Secretary:—

"It is the undoubted principle of the British Constitution that a member once returned by a constituency has to consider what he believes to be the interests of the whole country, and not the simple wishes of his own constituency. He is elected a Representative and not a Delegate, and the constituency have given to him for the limited period fixed by law for the duration of Parliament, the power which they possessed. They have a right to represent to him their views, and to refuse to re-elect him at the end of the Parliament, if they are dissatisfied with his conduct; but they have no right, pending the duration of the Parliament,

" to coerce his actions ; still less have they the right to expect that the
 " Royal Prerogative should be used because they are dissatisfied with the
 " choice they have made."

In advocating the policy of direct taxation for the support of schools, Mr. Howe, in the Legislature, thus forcibly illustrated the sacrifice at which this boon must be obtained, and asserted the Constitutional right and duty of the Legislature to serve the best interests of the country even in opposition to the wishes of the people :—

" An objection which pressed on many minds was the unpopularity
 " of direct taxation. It was unpopular in every country, although less
 " so where it was experienced than where it was only spoken of. A
 " change to direct taxation for general purposes would not be advisable,
 " yet even under such a system the country might prosper as well as
 " under the present. But for the sacred purposes of education, for
 " founding a provincial character, for the endowment of common schools
 " for the whole population, no hesitation need be felt at coming to direct
 " taxation. Few perhaps were more worldly than himself, or more alive
 " to the value of popularity, yet he would willingly take all the blame, all
 " the unpopularity that might be heaped on him as one who had a share
 " in establishing that which he proposed. They were representatives of
 " the people, and he put it to them as they were greatly honoured should
 " they not greatly dare? They were sent to do their duty to their con-
 " stituents, whether their acts always gave satisfaction or not. They
 " were sent to represent the opinions of the country when they believed
 " the people were better informed than the House, but to exercise their
 " own judgments when they felt convinced they were better informed
 " than the people. He called on gentlemen not to be too timid in risking
 " popularity, and not to reckon too carefully the price of doing their
 " duty. * * * * *

" They should look to the ultimate benefit, and in some degree coerce
 " the people ; that was a duty the House owed them as their Represen-
 " tatives. * * * Should it be said that Nova Scotians
 " were not prepared to pay the penalty of loss of seats in that Assembly
 " to do a great good to the Province."

I have already shown your Lordship that this question of a Union of the Provinces has been a subject of much discussion for many years in Nova Scotia ; that all the leading men of both the political parties into which the Province has been divided have avowed themselves the advocates of such Union ; that when Mr. Howe was in power in 1861 he obtained the unanimous approval of the Legislature to that policy ; that,

previously to the last general election, I had publicly advocated the same system of Confederation now proposed, and gone to the hustings pledged to it in the strongest manner. A reference to the history which I have already given of this project will show that Lord Durham, His Grace the Duke of Newcastle, the Right Hon. Mr. Cardwell, the Hon. Chief Justice Young, the Hon. Equity-Judge Johnston, and Mr. Howe himself, have all recorded their deliberate judgment, that the proper Constitutional mode of settling this question is by the action of the Legislatures of the Colonies and of the Imperial Parliament; that British Constitutional practice has been followed: and yet after all this, Mr. Howe ventures to demand an appeal to the people at the polls from the deliberate action of an immense majority of both Houses of Parliament.

The defeated gambler is of course always ready to play the game over again for the stakes already lost; but I have yet to learn that, under our system of Representative Institutions, it is incumbent upon a Government to dissolve a Legislature so long as they are handsomely sustained by large majorities in carrying measures considered indispensable to the prosperity and security of the country.

No one, my Lord, knows better than Mr. Howe, that if the Legislature were dissolved to-morrow, expressly on the Confederation question, it would be impossible to obtain the unbiassed judgment of the Province. The measure providing for the support of common school education by direct taxation, which Mr. Howe advocated so ably, but never ventured to peril his administration by passing, has been put on the statute-book by the present Government, in a spirit of self-sacrifice, at the shrine of the public good. For every vote that would be influenced in a general election by the question of Confederation, two would be given on the obnoxious subject of direct taxation, so revolting to all young countries.

The provision in the Quebec scheme, which placed the control of banking in the hands of the General Government and Legislature, arrayed a large number of gentlemen interested in some half-dozen local banks against Confederation—and capital can always find agents; but I am proud to be able to say that the great body of the educated, intelligent, thinking men of the

Province, of all parties, including almost the entire clergy and ministers of all denominations, are warmly in favour of the Union of British North America, and have no hesitation in asserting that no power on earth could induce the most insignificant proportion of my countrymen to assume an attitude of the least hostility to the Imperial Government or Parliament in consequence of the passing of an Act to consummate this Union.

Were Mr. Howe to succeed in convincing the British Government and people that Nova Scotia is yet unfit to enjoy the free institutions which were conceded to her a quarter of a century ago, and that it is necessary that the Imperial Government should interpose and override the constitutional action of her Legislature, it is not very likely that the first exercise of such an authority would be used to antagonize a policy which has been recommended by your Lordship's immediate predecessor, as best calculated to perpetuate British power on the Continent of America. But I have no such fear. Mr. Howe may properly be told, in the language of his pamphlet, "When self-government was conceded, it could never afterwards be withdrawn, unless upon ample proof, elicited by legal forms or deliberate Parliamentary enquiry, that it had been grossly abused." * * * "Sir, it is unfair for you to come here and attempt to mix the Government and Parliament of England up in your disputes; you possess ample powers to mature a scheme of Government."

But Mr. Howe says, "*The present House is sitting upon a franchise which expired a year ago, and had not, according to British usage, the right to pass any resolution at all. Parliament in this country is invariably dissolved when a new franchise is adopted.*"

It is quite true that Mr. Howe, in 1863, just previous to the last general election, obtained the enactment of a law under which more than a quarter of the electors of the Province will be disfranchised; but in introducing the Bill to the Legislature, the Attorney-General of his Government distinctly declared that it would not involve a new general election until the usual period. Now, my Lord, I have yet to learn that it is at all indispensable, under the British system, that a general election should take place when the franchise has been extended. Such

has not been the practice in Nova Scotia ; but, even were it so, I challenge Mr. Howe to show a single instance in "British usage" where an appeal to the people took place in consequence of the franchise having been narrowed, and a large portion of the electors deprived of the privileges they had hitherto enjoyed under the law.

The impossible nature of the task to which Mr. Howe addressed himself is well illustrated by the extravagant hyperboles and incongruous statements with which his pamphlet abounds. Its readers cannot fail to be impressed with the fact, that every argument advanced is not only in distinct contradiction with every sentiment in which, in a truly British American spirit, Mr. Howe has advocated a Union of the Colonies throughout his public career, but, what is still more striking, that the reasons he now advances to sustain the various points of his present position effectually refute each other.

No man, my Lord, who had a substantial Constitutional objection to urge against the proposed Union of British America by an Act of the Imperial Parliament, at the request of large majorities of both branches of the Legislatures in all the Provinces interested, would require to characterize such an Act as "a measure of spoliation and appropriation on a more gigantic scale than any that has startled Europe," or to compare the founding of a British monarchy in British America with the establishment of an Imperial despotism in Mexico by Louis Napoleon.

When Mr. Howe wishes to prove that Canada, Nova Scotia, and New Brunswick, dependent upon each other for the advancement of all, and drawn together by a common interest and a common danger, had better remain isolated, he presents the United States as riven by internal discord and breaking up into a half-dozen different and antagonistic Governments ; yet on the next page, when he endeavours to prove that Great Britain and a United British America will be unable to protect and preserve the latter, he reunites the scattered fragments of the Great Republic and declares with equal confidence that it will not only "stagger on for some years," but that a quarter of a century hence the American Union will exhibit a consolidated power, numbering sixty-eight millions" of people.

It is obvious that both of these statements cannot be prophetic. If there be any truth in the former, no one need fear

for the safety of British America; and, if the latter should be more accurate, British America ought not to be a cause of jealousy to a power so gigantic. On one page of his pamphlet, Mr. Howe shows conclusively that Canada, with all her resources, cut off from communication with the sea, can never be a great country; and yet he charges her public men with overweening "ambition," because they are endeavouring, by Union with the Maritime Provinces, to obtain access to the ocean, and rapid and easy communication at all seasons of the year with the Parent State. In like manner Mr. Howe exaggerates the antagonism of race, religion, and language between Upper and Lower Canada, rendering, as he says, government all but impossible; and yet fails to perceive that, if his premises be correct, the Union, which will remove this difficulty, must commend itself to the cordial support of every man who desires the advancement of British America. Again, Mr. Howe, regardless of the fact that he has endeavoured to show that Upper and Lower Canada must for centuries be strongly opposed to each other, proves equally to his own satisfaction that, by the cordial union and co-operation of the two Canadas, the Maritime Provinces, with their forty-seven Members in a House of Commons of one hundred and ninety-four, will be swamped, and their interests sacrificed; and that an Upper Chamber, in which they are represented equally with either Upper or Lower Canada, will be powerless to obtain for them fair consideration.

Volunteering his advocacy for Nova Scotia, Mr. Howe has nothing better to propose than that it be made a Gibraltar for Great Britain; yet, putting out of sight the impossibility of holding eighteen thousand square miles of country, with only three hundred and fifty thousand inhabitants, and an unfortified sea coast of a thousand miles in extent, with all the rest of the American continent abandoned to the "giant Republic," where, I would ask, can he expect to find another Nova Scotian who would be content with a position of isolation so utterly fatal to that progress and importance to which, with her great natural resources and position, as the Atlantic frontage of British America, she may now look confidently forward? But, my Lord, it is not necessary to dwell upon this point, as the power that is not able to aid successfully four millions of

energetic and brave men in British America to maintain connection with the Crown to which they are all so loyally devoted must obviously fail in preserving Nova Scotia. The disastrous effects of the loss of British America to Great Britain is thus graphically described by Mr. Howe, on p. 33 :—

"When this was done, the parties in this country who take un-English views of everything might be satisfied and consoled. But how would it stand with these Islands? When their only formidable commercial rival ruled the whole Continent of America, from the Gulf of Mexico to Hudson's Bay,—when her Mercantile Marine was increased by a million of tons of shipping,—when England was left without a harbour of refuge, a spar, or a ton of coal on the whole Continent of America,—when four millions of British subjects had been drawn behind the Morrill Tariff, and every loyal Irishman in British America had been converted into a Fenian,—when the outposts of the enemy had been advanced 800 miles nearer to England by the possession of Nova Scotia and Newfoundland,—does anybody believe that American diplomacy would be any the less aggressive, or that the coasts of this great centre of our civilization would be any the more secure? No! England that now fights for Empire would be compelled to fight for existence; and Ireland, now tolerably steady, impressed by the odds against England, might become a doubtful ally; and what would be worse, millions of loyal subjects, trained in love and devotion to the Mother Country would be coerced into a contest in which victory would be even more heart-rending and degrading than defeat."

Deeply impressed with the truth of these opinions, apart from the great interest which, as a British American, I feel in this question, I should be a traitor to the Crown and to the Empire if I did not endeavour to promote the Union of the British North American Colonies, as the only means by which this great national misfortune may be averted.

That a policy alike demanded by the best interests of the British American Provinces and of the Parent State, may meet with the approval of Her Majesty's Ministers and obtain the sanction of the Imperial Parliament; and that an United British America may, under the ægis of Great Britain, rapidly advance to the position among the nations of the earth, indicated by her great natural resources and the indomitable character of the race from which her people are sprung, are the earnest aspirations of

Your Lordship's most obedient humble Servant,

CHARLES TUPPER,

ALEXANDRA HOTEL, HYDE PARK CORNER,
October 19th, 1866.

APPENDIX.

REPORT

OF RESOLUTIONS ADOPTED AT A CONFERENCE OF DELEGATES FROM THE PROVINCES OF CANADA, NOVA SCOTIA, AND NEW BRUNSWICK, AND THE COLONIES OF NEWFOUNDLAND AND PRINCE EDWARD ISLAND, HELD AT THE CITY OF QUEBEC, 10TH OCTOBER, 1864, AS THE BASIS OF A PROPOSED CONFEDERATION OF THOSE PROVINCES AND COLONIES.

1. The best interests and present and future prosperity of British North America will be promoted by a Federal Union under the Crown of Great Britain, provided such union can be effected on principles just to the several provinces.

2. In the Federation of the British North American Provinces, the system of Government best adapted, under existing circumstances, to protect the diversified interests of the several Provinces, and secure efficiency, harmony, and permanency in the working of the union, would be a General Government charged with matters of common interest to the whole country, and Local Governments for each of the Canadas and for the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island, charged with the control of local matters in their respective sections,—provision being made for the admission into the Union, on equitable terms, of Newfoundland, the North-West Territory, British Columbia, and Vancouver.

3. In framing a Constitution for the General Government, the Conference, with a view to the perpetuation of our connection with the Mother Country, and to the promotion of the best interests of the people of these Provinces, desire to follow the model of the British Constitution, so far as our circumstances will permit.

4. The Executive Authority or Government shall be vested in the Sovereign of the United Kingdom of Great Britain and Ireland, and be administered according to the well understood principles of the British Constitution, by the Sovereign personally, or by the Representative of the Sovereign, duly authorized.

5. The Sovereign, or Representative of the Sovereign, shall be Commander-in-Chief of the Land and Naval Militia Forces.

6. There shall be a General Legislature, or Parliament, for the Federated Provinces, composed of a Legislative Council and a House of Commons.

7. For the purpose of forming the Legislative Council, the Federated Provinces shall be considered as consisting of three divisions :—1st—Upper Canada ; 2nd—Lower Canada ; 3rd—Nova Scotia, New Brunswick, and Prince Edward Island,—each division with an equal representation in the Legislative Council.

8. Upper Canada shall be represented in the Legislative Council by 24 members, Lower Canada by 24 members, and the three Maritime Provinces by 24 members, of which Nova Scotia shall have ten, New Brunswick ten, and Prince Edward Island four members.

9. The Colony of Newfoundland shall be entitled to enter the proposed Union with a representation in the Legislative Council of four members.

10. The North-West Territory, British Columbia, and Vancouver, shall be admitted into the Union on such terms and conditions as the Parliament of the Federated Provinces shall deem equitable, and as shall receive the assent of Her Majesty ; and in the case of the Province of British Columbia or Vancouver, as shall be agreed to by the Legislature of such Province.

11. The Members of the Legislative Council shall be appointed by the Crown under the Great Seal of the General Government, and shall hold office during life. If any Legislative Councillor shall, for two consecutive Sessions of Parliament, fail to give his attendance in the said Council, his seat shall thereby become vacant.

12. The Members of the Legislative Council shall be British Subjects by birth or naturalization, of the full age of thirty years, shall possess a continuous real property qualification of

four thousand dollars over and above all incumbrances, and shall be and continue worth that sum over and above their debts and liabilities; but in the case of Newfoundland and Prince Edward Island, the property may be either real or personal.

13. If any question shall arise as to the qualification of a Legislative Councillor, the same shall be determined by the Council.

14. The first selection of the members of the Legislative Council shall be made, except as regards Prince Edward Island, from the Legislative Councils of the various Provinces, so far as a sufficient number be found qualified and willing to serve; such members shall be appointed by the Crown at the recommendation of the General Executive Government, upon the nomination of the respective Local Governments,—and in such nomination, due regard shall be had to the claims of the members of the Legislative Council of the Opposition in each Province, so that all political parties may, as nearly as possible, be fairly represented.

15. The Speaker of the Legislative Council (unless otherwise provided by Parliament) shall be appointed by the Crown from among the members of the Legislative Council, and shall hold office during pleasure, and shall only be entitled to a casting vote on an equality of votes.

16. Each of the twenty-four Legislative Councillors representing Lower Canada in the Legislative Council of the General Legislature, shall be appointed to represent one of the twenty-four Electoral Divisions mentioned in Schedule A of Chapter First of the Consolidated Statutes of Canada, and such Councillor shall reside or possess his qualification in the division he is appointed to represent.

17. The basis of representation in the House of Commons shall be population, as determined by the official census every ten years; and the number of members at first shall be 194, distributed as follows:—

Upper Canada	82
Lower Canada	65
Nova Scotia	19
New Brunswick	15
Newfoundland	8
and Prince Edward Island	5

18. Until the official census of 1871 has been made up, there shall be no change in the number of representatives from the several sections.

19. Immediately after the completion of the census of 1871, and immediately after every decennial census thereafter, the representation from each section in the House of Commons shall be re-adjusted on the basis of population.

20. For the purpose of such re-adjustments, Lower Canada shall always be assigned sixty-five members, and each of the other sections shall at each re-adjustment receive, for the ten years then next succeeding, the number of members to which it will be entitled on the same ratio of representation to population as Lower Canada will enjoy according to the census last taken by having sixty-five members.

21. No reduction shall be made in the number of members returned by any section, unless its population shall have decreased relatively to the population of the whole Union, to the extent of five per centum.

22. In computing at each decennial period, the number of members to which each section is entitled, no fractional parts shall be considered, unless when exceeding one-half the number entitling to a member, in which case a member shall be given for each such fractional part.

23. The Legislature of each Province shall divide such Province into the proper number of constituencies, and define the boundaries of each of them.

24. The Local Legislature of each Province may, from time to time, alter the electoral districts for the purposes of representation in the House of Commons, and distribute the representatives to which the Province is entitled in any manner such Legislature may think fit.

25. The number of members may, at any time, be increased by the General Parliament, regard being had to the proportionate rights then existing.

26. Until provisions are made by the General Parliament, all the Laws which, at the date of the proclamation constituting the Union, are in force in the Provinces respectively, relating to the qualification and disqualification of any person to be elected or to sit or vote as a member of the Assembly in the said Pro-

vinces respectively, and relating to the qualification or disqualification of voters, and to the oaths to be taken by voters, and to returning officers and their powers and duties, and relating to the proceedings at elections, and to the period during which such elections may be continued, and relating to the trial of controverted elections, and the proceedings incident thereto, and relating to the vacating of seats of members, and to the issuing and execution of new writs in case of any seat being vacated otherwise than by a dissolution,—shall respectively apply to elections of members to serve in the House of Commons for places situate in those Provinces respectively.

27. Every House of Commons shall continue for five years from the day of the return of the writs choosing the same, and no longer, subject, nevertheless, to be sooner prorogued or dissolved by the Governor.

28. There shall be a Session of the General Parliament once at least in every year, so that a period of twelve calendar months shall not intervene between the last sitting of the General Parliament in one Session and the first sitting thereof in the next Session.

29. The General Parliament shall have power to make Laws for the peace, welfare, and good Government of the Federated Provinces (saving the Sovereignty of England), and especially Laws respecting the following subjects:—

1. The Public Debt and Property.
2. The Regulation of Trade and Commerce.
3. The imposition or regulation of Duties of Customs on Imports and Exports, except on Exports of Timber, Logs, Masts, Spars, Deals, and Sawn Lumber, and of Coal and other Minerals.
4. The imposition or regulation of Excise Duties.
5. The raising of money by all or any other modes or systems of Taxation.
6. The borrowing of money on the public credit.
7. Postal Service.
8. Lines of Steam or other Ships, Railways, Canals, and other works, connecting any two or more of the Provinces together, or extending beyond the limits of any Province.

9. Lines of Steamships between the Federated Provinces and other countries.
10. Telegraphic Communication and the Incorporation of Telegraph Companies.
11. All such works as shall, although lying wholly within any Province, be specially declared by the acts authorizing them to be for the general advantage.
12. 'The Census.
13. Militia—Military and Naval Service and Defence.
14. Beacons, Buoys, and Light Houses.
15. Navigation and Shipping.
16. Quarantine.
17. Sea Coast and Inland Fisheries.
18. Ferries between any Province and a Foreign Country, or between any two Provinces.
19. Currency and Coinage.
20. Banking—Incorporation of Banks and the issue of Paper Money.
21. Savings Banks.
22. Weights and Measures.
23. Bills of Exchange and Promissory Notes.
24. Interest.
25. Legal Tender.
26. Bankruptcy and Insolvency.
27. Patents of Invention and Discovery.
28. Copy Rights.
29. Indians and Lands reserved for the Indians.
30. Naturalization and Aliens.
31. Marriage and Divorce.
32. The Criminal Law, excepting the Constitution of Courts of Criminal Jurisdiction, but including the procedure on Criminal matters.
33. Rendering uniform all or any of the laws relative to property and civil rights in Upper Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island, and rendering uniform the procedure of all or any of the Courts in these Provinces; but any Statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof.

- 34. The Establishment of a General Court of Appeal for the Federated Provinces.
- 35. Immigration.
- 36. Agriculture.
- 37. And generally respecting all matters of a general character, not specially and exclusively reserved for the Local Governments and Legislatures.

30. The General Government and Parliament shall have all powers necessary or proper for performing the obligations of the Federated Provinces, as part of the British Empire, to Foreign Countries, arising under treaties between Great Britain and such countries.

31. The General Parliament may also, from time to time, establish additional Courts, and the General Government may appoint Judges and Officers thereof when the same shall appear necessary or for the public advantage, in order to the due execution of the laws of Parliament.

32. All Courts, Judges, and Officers of the several Provinces shall aid, assist, and obey the General Government in the exercise of its rights and powers, and for such purposes shall be held to be Courts, Judges, and Officers of the General Government.

33. The General Government shall appoint and pay the Judges of the Superior Courts in each Province, and of the County Courts of Upper Canada, and Parliament shall fix their salaries.

34. Until the Consolidation of the Laws of Upper Canada, New Brunswick, Nova Scotia, Newfoundland, and Prince Edward Island, the Judges of these Provinces appointed by the General Government shall be selected from their respective bars.

35. The Judges of the Courts of Lower Canada shall be selected from the bar of Lower Canada.

36. The Judges of the Court of Admiralty now receiving salaries shall be paid by the General Government.

37. The Judges of the Superior Courts shall hold their offices during good behaviour, and shall be removable only on the address of both Houses of Parliament.

LOCAL GOVERNMENT.

38. For each of the Provinces there shall be an Executive Officer, styled the Lieutenant Governor, who shall be appointed by the Governor General in Council, under the Great Seal of the Federated Provinces, during pleasure,—such pleasure not to be exercised before the expiration of the first five years, except for cause ; such cause to be communicated in writing to the Lieutenant Governor immediately after the exercise of the pleasure as aforesaid, and also by message to both Houses of Parliament within the first week of the first Session afterwards.

39. The Lieutenant Governor of each Province shall be paid by the General Government.

40. In undertaking to pay the salaries of the Lieutenant Governors, the Conference does not desire to prejudice the claim of Prince Edward Island upon the Imperial Government for the amount now paid for the salary of the Lieutenant Governor thereof.

41. The Local Government and Legislature of each Province shall be constructed in such manner as the existing Legislature of such Province shall provide.

42. The Local Legislatures shall have power to alter or amend the constitution from time to time.

43. The Local Legislatures shall have power to make laws respecting the following subjects :—

1. Direct Taxation and imposition of Duties on the export of Timber, Logs, Masts, Spars, Deals, and Sawn Lumber, and of Coals and other Minerals.
2. Borrowing money on the credit of the Province.
3. The establishment and tenure of Local Offices, and the appointment and payment of Local Officers.
4. Agriculture.
5. Immigration.
6. Education—saving the rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their denominational schools, at the time when the Union goes into operation.

7. The sale and management of Public Lands, excepting Lands belonging to the General Government.
 8. Sea Coast and Inland Fisheries.
 9. The establishment, maintenance, and management of Penitentiaries, and of Public and Reformatory Prisons.
 10. The establishment, maintenance, and management of Hospitals, Asylums, Charities, and Eleemosynary Institutions.
 11. Municipal Institutions.
 12. Shop, Saloon, Tavern, Auctioneer, and other Licenses.
 13. Local Works.
 14. The incorporation of private or local companies, except such as relate to matters assigned to the General Parliament.
 15. Property and civil rights, excepting those portions thereof assigned to the General Parliament.
 16. Inflicting punishment by fine, penalties, imprisonment, or otherwise for the breach of laws passed in relation to any subject within their jurisdiction.
 17. The administration of justice, including the constitution, maintenance, and organization of the Courts—both of Civil and Criminal jurisdiction, and including also the procedure in Civil Matters.
 18. And generally all matters of a private or local nature, not assigned to the General Parliament.
44. The power of respiting, reprieving, and pardoning prisoners convicted of crimes, and of commuting and remitting of sentences in whole or in part, which belongs of right to the Crown, shall be administered by the Lieutenant Governor of each Province in Council, subject to any instructions he may from time to time receive from the General Government, and subject to any provisions that may be made in this behalf by the General Parliament.

MISCELLANEOUS.

45. In regard to all subjects over which jurisdiction belongs to both the General and Local Legislatures, the laws of the General Parliament shall control and supersede those made by the Local Legislature, and the latter shall be void so far as they are repugnant to or inconsistent with the former.

46. Both the English and French languages may be employed in the General Parliament and in its proceedings, and in the Local Legislature of Lower Canada, and also in the Federal Courts and in the Courts of Lower Canada.

47. No lands or property belonging to the General or Local Government shall be liable to taxation.

48. All Bills for appropriating any part of the Public Revenue, or for imposing any new tax or impost, shall originate in the House of Commons or the House of Assembly, as the case may be.

49. The House of Commons or House of Assembly shall not originate or pass any vote, resolution, address, or bill, for the appropriation of any part of the public revenue, or of any tax or impost to any purpose, not first recommended by message of the Governor General or the Lieutenant Governor, as the case may be, during the session in which such vote, resolution, address or bill is passed.

50. Any bill of the General Parliament may be reserved in the usual manner for Her Majesty's assent, and any bill of the Local Legislatures may in like manner be reserved for the consideration of the Governor General.

51. Any bill passed by the General Parliament shall be subject to disallowance by Her Majesty within two years, as in the case of bills passed by the Legislatures of the said Provinces hitherto; and in like manner any bill passed by a Local Legislature shall be subject to disallowance by the Governor General within one year after the passing thereof.

52. The seat of Government of the Federated Provinces shall be Ottawa, subject to the Royal Prerogative.

53. Subject to any future action of the respective Local Governments, the Seat of the Local Government in Upper

Canada shall be Toronto; of Lower Canada, Quebec; and the Seats of the Local Governments in the other Provinces shall be as at present.

PROPERTY AND LIABILITIES.

54. All stocks, cash, bankers' balances and securities for money belonging to each Province, at the time of the Union, except as hereinafter mentioned, shall belong to the General Government.

55. The following public works and property of each Province shall belong to the General Government, to wit:

1. Canals.
2. Public Harbours.
3. Light Houses and Piers.
4. Steamboats, Dredges, and Public Vessels.
5. River and Lake Improvements.
6. Railway and Railway Stocks, Mortgages, and other Debts due by Railway Companies.
7. Military Roads.
8. Custom Houses, Post Offices, and other public buildings, except such as may be set aside by the General Government for the use of the Local Legislatures and Governments.
9. Property transferred by the Imperial Government and known as Ordnance Property.
10. Armories, Drill Sheds, Military Clothing, and Munitions of War, and
11. Lands set apart for public purposes.

56. All Lands, Mines, Minerals, and Royalties vested in Her Majesty in the Provinces of Upper Canada, Lower Canada, Nova Scotia, New Brunswick, and Prince Edward Island, for the use of such Provinces, shall belong to the Local Government of the territory in which the same are so situate; subject to any trusts that may exist in respect to any of such lands, or to any interest of other persons in respect of the same.

57. All sums due from purchasers or lessees of such Lands, Mines, or Minerals, at the time of the Union, shall also belong to the Local Governments.

58. All assets connected with such portions of the public debt of any Province, as are assumed by the Local Government, shall also belong to those Governments respectively.

59. The several Provinces shall retain all other public property therein, subject to the right of the General Government to assume any lands or public property required for fortifications or the defence of the country.

60. The General Government shall assume all the debts and liabilities of each province.

61. The debt of Canada, not specially assumed by Upper and Lower Canada respectively, shall not exceed at the time of the Union \$62,500,000
Nova Scotia shall enter the Union with a debt

not exceeding 8,000,000
And New Brunswick, with a debt not exceeding 7,000,000

62. In case Nova Scotia or New Brunswick do not incur liabilities beyond those for which their Governments are now bound, and which shall make their debts, at the date of Union, less than \$8,000,000 and \$7,000,000 respectively, they shall be entitled to interest at 5 per cent. on the amount not so incurred, in like manner as is hereinafter provided for Newfoundland and Prince Edward Island; the foregoing resolution being in no respect intended to limit the powers given to the respective Governments of those Provinces by Legislative authority, but only to limit the maximum amount of charge to be assumed by the General Government. Provided always, that the powers so conferred by the respective Legislatures shall be exercised within five years from this date, or the same shall then lapse.

63. Newfoundland and Prince Edward Island not having incurred debts equal to those of the other Provinces, shall be entitled to receive, by half-yearly payments in advance from the General Government, the interest at five per cent. on the difference between the actual amount of their respective debts at the time of their Union, and the average amount of indebtedness per head of the population of Canada, Nova Scotia, and New Brunswick.

64. In consideration of the transfer to the General Parliament of the powers of taxation, an annual grant in aid of each Province shall be made, equal to 80 cents. per head of the population, as established by the census of 1861, the population of Newfoundland being estimated at 130,000. Such aid shall be in full settlement of all future demands upon the General Government for local purposes, and shall be paid half-yearly in advance to each Province.

65. The position of New Brunswick being such as to entail large immediate charges upon her local revenues, it is agreed that for the period of ten years from the time when the Union takes effect, an additional allowance of \$63,000 per annum shall be made to that Province. But that so long as the liability of that Province remains under \$7,000,000, a deduction equal to the interest on such deficiency shall be made from the \$63,000.

66. In consideration of the surrender to the General Government by Newfoundland of all its rights in mines and minerals, and of all the ungranted and unoccupied lands of the Crown, it is agreed that the sum of \$150,000 shall each year be paid to that Province by semi-annual payments. Provided that that Colony shall retain the right of opening, constructing, and controlling roads and bridges through any of the said lands, subject to any laws which the General Parliament may pass in respect of the same.

67. All engagements that may, before the Union, be entered into with the Imperial Government for the defence of the country shall be assumed by the General Government.

68. The General Government shall secure, without delay, the completion of the Intercolonial Railway from Riviere-du-Loup, through New Brunswick, to Truro in Nova Scotia.

69. The communications with the North-Western Territory, and the improvements required for the development of the trade of the Great West with the Seaboard, are regarded by this Conference as subjects of the highest importance to the Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the finances will permit.

70. The sanction of the Imperial and Local Parliaments shall be sought for the Union of the Provinces, on the principles adopted by the Conference.

71. That Her Majesty the Queen be solicited to determine the rank and name of the Federated Provinces.

72. The proceedings of the Conference shall be authenticated by the signatures of the Delegates, and submitted by each Delegation to its own Government, and the Chairman is authorized to submit a copy to the Governor General for transmission to the Secretary of State for the Colonies.

